

# Agenda Ordinary Council Meeting 18 July 2024, 7:00 PM

Council will commence consideration of  
all business paper agenda items at 7.00 pm.



## Notice of Meeting

Dear Councillors,

Notice is given of the Ordinary Council Meeting, to be held in the Council Chambers on Thursday 18 July 2024 commencing at 7:00 PM. The business to be transacted at the meeting is included in this business paper.

In accordance with clause 3.26 of the Code of Meeting Practice Councillors are reminded of their oath or affirmation of office made under section 233A of the Act, and of their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Yours faithfully



Craig Wrightson  
**General Manager**

## Council Meeting Procedures

The Council meeting is chaired by the Mayor, Councillor Scott Bennison. Councillors are entitled to one vote on a matter. If votes are equal, the Chairperson has a second or casting vote. When a majority of Councillors vote in favour of a Motion it becomes a decision of the Council. Minutes of Council and Committee meetings are published on Council's website [www.lanecove.nsw.gov.au](http://www.lanecove.nsw.gov.au) by 5.00 pm on the Tuesday following the meeting.

The Meeting is conducted in accordance with Council's Code of Meeting Practice. The order of business is listed in the Agenda on the next page. That order will be followed unless Council resolves to modify the order at the meeting. This may occur for example where the members of the public in attendance are interested in specific items on the agenda.

The Public Forum will hear registered speakers from the Public Gallery to be held Monday, 15 July 2024 at 07:00 pm in the Council Chambers as well as online using the web platform Zoom. All speakers wishing to participate in the public forum must register by using the [online form](#) no later than midnight, on the day prior to the meeting (Sunday, 14 July 2024) and a Zoom meeting link will be emailed to the provided email address of those registered as an online speaker. Please note that the time limit of three minutes per address still applies, so please make sure your submission meets this criteria. Alternatively, members of the public can still submit their written address via email to [service@lanecove.nsw.gov.au](mailto:service@lanecove.nsw.gov.au). Written addresses are to be received by Council no later than midnight, on the day prior to the meeting. (500 words maximum).

Please note meetings held in the Council Chambers are recorded on tape for the purposes of verifying the accuracy of minutes and the tapes are not disclosed to any third party under the Government Information (Public Access) Act 2009, except as allowed under section 18(1) or section 19(1) of the PPIP Act, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation. Should you require assistance to participate in the meeting due to a disability; or wish to obtain further information in relation to Council, please contact Council's Director - Corporate Services and Strategy on (02) 9911 3550.

**DECLARATIONS OF INTEREST**

**APOLOGIES**

**ACKNOWLEDGEMENT TO COUNTRY**

**MINUTE OF SILENCE FOR RELECTION OR PRAYER**

**NOTICE OF WEBCASTING OF MEETING**

**PUBLIC FORUM**

A Public forum will be conducted on Monday, 15 July 2024 at 07:00 pm in the Council Chambers as well as online using the web platform Zoom.

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**MATTERS RECOMMENDED BY THE GENERAL MANAGER TO BE CONSIDERED IN CLOSED COMMITTEE**

26. **NOTICE OF MOTION - REFERRAL TO AUDIT, RISK AND IMPROVEMENT COMMITTEE – MANAGING RISK IN COUNCIL ENGAGEMENT OF CONSULTANTS**

*It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret; it further being considered that discussion of the matter in open meeting would be, on balance, contrary to public interest by reason of the foregoing.*

**27. MAYORAL MINUTE - SENIOR STAFF MATTER**

*It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (a) of the Local Government Act, 1993, on the grounds that the matter will involve the discussion of personnel matters concerning a particular individual; it further being considered that discussion of the matter in open meeting would be, on balance, contrary to public interest by reason of the foregoing.*

**Ordinary Council Meeting 18 July 2024**  
**MAYORAL MINUTE - IMPLICATIONS OF BUDGET REJECTION: HOW WOULD LANE COVE COUNCIL MANAGE FINANCIAL AND OPERATIONAL RISKS?**

**Subject:** Mayoral Minute - Implications of Budget Rejection: How Would Lane Cove Council Manage Financial and Operational Risks?  
**Record No:** SU9649 - 41327/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Scott Bennison

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Councillors, after reviewing the minutes from the June 2024 Council Meeting, I was reminded that three Councillors voted against the adoption of the draft 2024/25 budget, draft delivery program and operational plan, resourcing strategy, long term financial plan, asset management plan, and the workforce management plan.

In particular, I would like to highlight that included in the above plans, which some Councillors voted against, was approval for the levying of rates, domestic waste charges, stormwater management service charges, and interest on overdue rates and charges.

Additionally, I note that the above draft documents were on community consultation for about 6 weeks. These documents included plans for new capital works such as the Bob Campbell Oval Masterplan, conduct an LGA wide bush track audit, Convert the Terrace Function Room into a Multifunction Theatre Space, Implementation of the Lane Cove North Traffic Management and Speed Reduction Plan, conduct the 2024 Council Elections, completion of a new cycleway along Burns Bay Road to Linley Point, introduction of community renewable energy projects, masterplans for Burns Bay Reserve and Stringybark Creek, and sustainability measures such as the volunteer bushcare program, solar for stratas and business, and many other programs. They also covered the payment of staff wages and provision of services such as the library and our parks and sporting fields.

In my 16 years as a Councillor I have not witnessed a situation where Councillors have not supported the Council's annual budget, regardless of their respective political alliances.

From a risk perspective, if another two Councillors did not support the adoption of the above plans including the 2024/25 budget, I am not fully aware of the impact on staff, the delivery of services to the community, and our ability to pay debts as and when they fall due (going concern).

I have attached an article from the Northern Beaches Advocate dated 26 June 2024, where the Mayor was forced to use his casting vote. The General Manager was quoted as saying, "Council's adoption of a delivery plan is a core obligation of Council. In the event Council does not meet its core obligations and there is no resolution to that, one pathway the Minister has is to put Council into administration." and "More importantly, in the event you do not adopt the budget and we move into the new financial year, Council will not have the capacity to meet some of its obligations to creditors".

I agree with the General Manager on Northern Beaches Council that in my time as a Councillor, I have not witnessed a situation where Councillors refused to adopt the budget that is a statutory obligation of the Governing Body.

There are many relevant sections of the Local Government Act which are fundamental to the Council operating as a going concern.

Section 211(1) of the Local Government Act 1993 states that a council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subsection (2) or at a later ordinary meeting has approved the expenditure and has voted the money necessary to meet the expenditure.

**Ordinary Council Meeting 18 July 2024**  
**MAYORAL MINUTE - IMPLICATIONS OF BUDGET REJECTION: HOW WOULD LANE COVE COUNCIL MANAGE FINANCIAL AND OPERATIONAL RISKS?**

Subsection (2) states that a council must each year hold a meeting for the purpose of approving expenditure and voting money.

Section 405 of the *Local Government Act 1993* requires that a council must have a plan (called its "operational plan") that is adopted before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year.

Section 406 of the *Local Government Act 1993* and the regulations may make provision for or with respect to integrated planning and reporting guidelines (referred to in this Chapter as "the guidelines") to be complied with by councils.

Section 196A of the *Local Government (General) Regulation 2021* requires that a council must comply with the integrated planning and reporting guidelines in the document entitled Integrated Planning and Reporting Guidelines for Local Government in NSW, published on the website of the Department, as in force from time to time.

Clause 4.9 of the *Integrated Planning and Reporting Guidelines for Local Government in NSW* requires that the operational plan must include a detailed description of the actions to be undertaken in that year.

Council's financial statements are prepared on 'a going concern' basis pursuant to AASB 570 on the assumption that the entity will continue its operations for the foreseeable future and be able to pay its debts as and when they fall due.

I bring this to Council's attention due to the occurrence of a near miss in relation to a serious matter of Governance given we have all taken and oath or affirmation of office to "undertake the duties of the office of councillor in the best interests of the people of Lane Cove Local Government Area and the Lane Cove Municipal Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

## **RECOMMENDATION**

That the Mayoral Minute be received and noted.

Councillor Scott Bennison  
**Councillor**

## **ATTACHMENTS:**

**AT-1** [View](#) News Article failure to adopt Budget, and Operational Plan, 8 Pages Available Electronically

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - SUPPORT FOR LOCAL WOMEN'S REFUGE AND FAMILIES IN NEED THROUGH COMMUNITY COLLABORATION**

**Subject:** Notice of Motion - Support for Local Women's Refuge and Families in Need through Community Collaboration

**Record No:** SU2631 - 41324/24

**Division:** Lane Cove Council

**Author(s):** Councillor Scott Bennison; Councillor David Roenfeldt; Councillor Andrew Zbik; Councillor David Brooks-Horn; Councillor Katherine Mort

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### **Background**

Council has a strong history of supporting service providers and community organisations who help provide much needed support to vulnerable members of our community.

This includes financial support to organisations such as Sydney Community Services (SCS), St George Community Housing (SGCH) and Women and Children First (auspicing organisation for Delvena Women's Refuge) through Council's Community Assistance Grants.

SCS supports local residents in need with assistance such as paying utility bills, financial counselling, and a food pantry. This service is for all residents in need, not just for people with disability and seniors.

Council has worked closely with the local women's refuge Delvena to provide support beyond financial assistance – for example fundraising, coordination of the annual Tree of Joy initiative among other programs as well as dedicating a property to house women referred by the refuge.

The authors of this motion seek to further strengthen this commitment to supporting our local women's refuge and families struggling to meet their basic needs. These needs include, but are not limited to, short-term accommodation, food, blankets, personal necessities, and assistance for their children.

There two additional things Council can assist with. First, currently in the Lane Cove LGA there are opportunities to provide free short-term accommodation, typically for 1-3 months. As an example, when individual house owners seek to do knockdown rebuild developments quite often the existing home is empty during the development application approval process and the time it takes to prepare to build. This provides an opportunity for short term occupation of the existing dwelling by those in need. Similarly, when developers purchase properties, they also have to complete the development application process, presales and preparation to build. During this time the properties remain empty. This is a wasted resource when people are in crisis situations and seek the most basic things in life, food and shelter. It is proposed that Council could identify these properties when development applications are lodged and contact the owners or developers to seek agreement to facilitate free temporary access to the houses before they are demolished as part of the new development. The Mayor has met with Delvena to discuss the idea and they have indicated great interest in this idea and have the capability to manage the tenants and already have appropriate legal agreements that could be utilised.

The second initiative is to achieve even higher levels of collaboration amongst existing local groups. The needs of these families are complex and diverse, necessitating specialised assistance. Local churches already play a crucial role in supporting families by providing food, clothing, and other essentials. I recently met with the new President of Rotary, who expressed Rotary's interest in being involved in further collaborating and fundraising for Delvena and families in need.



**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - SUPPORT FOR LOCAL WOMEN'S REFUGE AND FAMILIES IN NEED**  
**THROUGH COMMUNITY COLLABORATION**

Some of these groups have Deductible Gift Recipient (DGR) status, which offers an opportunity for fundraising to be tax deductible to support the services required by these families.

Therefore, it is proposed that Council organise a roundtable discussion to bring together all interested parties mentioned to support a comprehensive coordinated network to increase the assistance available to the families.

**RECOMMENDATION**

That Council:-

1. Investigate a process to identify houses that are empty when development applications are lodged, and contact the owners or developers to seek agreement to facilitate free temporary access to the houses before they are demolished as part of the new development; and
2. Organise a roundtable discussion with interested parties to support a comprehensive coordinated network to increase the assistance available to women and families in need.

Councillor Scott Bennison  
**Councillor**

Councillor David Roenfeldt  
**Councillor**

Councillor Andrew Zbik  
**Councillor**

Councillor David Brooks-Horn  
**Councillor**

Councillor Katherine Mort  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - SUPPORT FOR NEW LEGISLATION AND STRICTER REGULATION OF STRATA MANAGEMENT COMPANIES.**

**Subject:** Notice of Motion - Support for New Legislation and Stricter Regulation of Strata Management Companies.  
**Record No:** SU547 - 41090/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Katherine Mort; Councillor Scott Bennison; Councillor David Brooks-Horn

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### **Executive Summary**

This motion recommends that Council support For New Legislation and stricter regulation of Strata Management companies.

### **Background**

The Lane Cove area will see a significant increase in the number of apartments over the next few years. The majority of these apartments will be managed by strata companies and appointed managers who control funds and largely influence and advise decisions on insurance, tradespeople, renovation, repairs and remediation. They also provide advice on meeting legal obligations and managing the services to the strata scheme. Within NSW more than 1.2 million people are already living in strata communities and that number will continue to increase.

Recently the NSW Department of Fair Trading announced an enquiry into strata management companies following a media investigation. The behaviour of one of the country's largest strata companies, Network Strata Services (Netstrata) raises concern.

The company was exposed for having taken kickbacks from contractors and suppliers and alleged to have used its wholly owned insurance arm to charge owners highly inflated premiums.

Subsequently Netstrata's Managing Director stood aside from his position as the NSW state president of the strata peak industry body, The Strata Community Association.

The NSW Government is currently reviewing legislation with a view to introducing new legislation later in the year, the Key changes proposed include:-

- *increasing the maximum penalties and penalty infringement notice amounts for existing agent obligations to disclose information about commissions.*
- *strengthening the conflict-of-interest disclosure requirements.*
- *banning agents from receiving a commission on insurance products when they don't play a role in finding the best deal for residents.*
- *strengthening NSW Fair Trading's enforcement and compliance powers*
- *higher penalties, greater transparency and new enforcement powers follow an \$8.4 million investment in more resources for the Strata and Property Services Commissioner in this year's budget.*

The Government will consult with key stakeholders such as the Owners Corporation Network and Strata Community Association on the draft laws in the coming weeks (June 2024).

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - SUPPORT FOR NEW LEGISLATION AND STRICTER REGULATION OF STRATA MANAGEMENT COMPANIES.**

**RECOMMENDATION**

That Council write to the NSW Minister for Better Regulation and Fair Trading, The Honourable Anoulack Chanthivong endorsing the review and strengthening of the legislation governing Strata Management Companies and Strata Managers and request the new legislation:-

1. significantly increase the accountability and transparency required of Strata Management companies and considers within the legislation the rights of individual owners to take action against strata managers where appropriate; and
2. instead of allowing commissions to strata and property services companies for any purpose, the payment of commissions should be band entirely from service providers, consistent with the view of the Royal Commission into banking which held that the conflict of payment of commissions is too great to overcome and service should be rendered on a fee for service only basis.

Councillor Katherine Mort  
**Councillor**

Councillor Scott Bennison  
**Councillor**

Councillor David Brooks-Horn  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - ST MICHAEL'S SCHOOL - "KISS AND RIDE" UPGRADE**

**Subject:** Notice of Motion - St Michael's School - "Kiss and Ride" upgrade  
**Record No:** SU1541 - 40983/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor David Brooks-Horn; Councillor Katherine Mort; Councillor Scott Bennison

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### **Executive Summary**

This motion seeks the Council's support for a revised design of the Longueville Road "Kiss and Ride" and crossing outside St Michael's Primary School to be sent to the Traffic Committee for their approval and that this project be considered for inclusion in the 2025/26 Budget, with completion as early as possible.

### **Background**

St Michael's Catholic Primary School at 181-187 Longueville Road Lane Cove was established over 100 years ago. The school has over 525 students from Kindergarten to year 6. Overall, 40% of students coming from families where their language background is other than English.

The school's "Kiss and Ride" zone on Longueville Road currently holds a maximum of 3 cars. Many parents or carers drive their children to and from the school for many reasons while others catch buses or walk. The morning drop off and afternoon pickup can cause traffic issues and safety concerns for the children. Many cars queue down Alpha Road and into Austin Street. An increase in the quantity of available spaces of the "Kiss and ride" zone would increase the speed of the children being dropped off and picked up. Therefore, reducing congestion for local residents and safety issues of the school children.

To increase the capacity of the "Kiss and Ride" zone, Council's traffic officers have previously created a design at the front of St Michael's School (**AT-1**). The design proposes moving the pedestrian crossing to allow for the extra 'kiss and ride' space for parents. This project has not gone to the Traffic Committee nor is included in the current year's budget. The design has been shown and explained to the Principal of St Michael's Catholic Primary School and was received with a more than favourable response.

### **RECOMMENDATION**

That:-

1. Council's design for a revised Longueville Road "Kiss and Ride" and crossing outside St Michael's Primary School be sent to the Traffic Committee for their approval or suggested changes; and
2. Council consider the project for inclusion in the 2025/26 Budget, with completion as early as possible unless an opportunity arises for completion this financial year through grant funding.

Councillor David Brooks-Horn  
**Councillor**

Councillor Katherine Mort  
**Councillor**

Councillor Scott Bennison  
**Councillor**

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - ST MICHAEL'S SCHOOL - "KISS AND RIDE" UPGRADE**

**ATTACHMENTS:**

AT-1 [View](#) Longueville Road Crossing - Proposed relocation

Available  
Electronically

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - PROPOSED REVIEW TO SUPPORT THE REPORTING AND DELIVERY OF MAJOR PROJECTS**

**Subject:** Notice of Motion - Proposed Review to support the reporting and delivery of Major Projects  
**Record No:** SU7368 - 41120/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Bridget Kennedy; Councillor Kathy Bryla

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### **Executive Summary**

This motion recommends that Council request its Audit, Risk and Improvement Committee (ARIC) to review Council's existing Project Management Framework and from the start of the new council term, for major projects over \$5 million (or an amount advised by ARIC), utilise the detailed project status report template developed by Willoughby Council to provide monthly reports to the governing body.

### **Background**

Council utilises the IPWEA tool kit as a guide to how projects are managed. The Framework was last reviewed in 2018. Council manages a large number of projects in varying terms of scale and complexity, and they can range from infrastructure development projects through to community events, delivery of new programs and construction.

Major Projects are typically defined as projects where budgets exceed a set amount defined by Council. They involve high risk and impact, are complex, transformative in nature, and are activities that have a defined beginning and end. It is noted that at Lane Cove Council our Audit, Risk and Improvement Committee (ARIC) has recently suggested reporting for projects over \$2 million.

A Major Project will typically run over multiple years and budget cycles and be formally identified through Council's Operational Plan and Long Term Financial Plan.

Willoughby Council, in response to reporting and risk gaps with their current major projects, have reviewed their Project Management Framework (established in 2016 and reviewed again in 2023) and reported to council their updated version in the June 2024 meeting. The enhancements now implemented are designed to increase transparency, enhance accountability and drive proactive management of risk, but at the same time ensure projects can be delivered swiftly and without unnecessary restrictions.

It's noted in the report to council that the enhancements include establishing a new 'Ideate' phase in the Framework which will occur before their current first phase and seeks to:

- determine which projects are classified as major projects,
- encourage early discussions to generate and challenge project ideas, address problems and capitalise on opportunities,
- identify high level feasibility considerations including risk, procurement and cost estimates; and
- have earlier engagement with Councillors at concept stage.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - PROPOSED REVIEW TO SUPPORT THE REPORTING AND DELIVERY OF MAJOR PROJECTS**

The enhancements are also intended to improve reporting of projects to Council and the community by:

- including gateway reports to Council prior to progressing to the next stage,
- ensuring original baseline reporting is incorporated on all projects,
- development of detailed communication and engagement plans at the outset,
- monthly Councillor briefings on exception reporting on Major Projects,
- real time reporting to Councillors on risk, and on the use of contingency of 50% or 500k, whichever is lesser; and
- and quarterly reports to Council on Major Projects.

It's important to note that the improvements implemented in the Willoughby Council framework could impact the funding required for projects or extend the delivery timeframes. Any additional costs and timeframe impacts will be considered against the risks associated with the project at the outset and regularly reviewed through the project lifecycle.

As Lane Cove Council utilises the tool kit from IPWEA and reports quarterly to ARIC, this motion aims to establish improvements to support the delivery of Major Projects.

The work that Willoughby Council has undertaken is an opportunity for Council to utilise the work and learnings undertaken by a neighbouring council to improve how we manage our own Major Projects and deliver superior outcomes for the community.

## **RECOMMENDATION**

That Council:-

1. Request that ARIC review Council's existing Project Management Framework process (noting it was last reviewed in 2018), leveraging off the recent work undertaken by Willoughby Council (including their development of a standardised template for project status reports) with consideration given to how we could achieve improvements on managing and delivering major projects and reporting on risk, programme and financing,
2. Notes that high-level reporting of Major Projects is currently provided to ARIC quarterly but that this three-month delay and current lack of detail could reduce proactive management of risk, as the information is historic;
3. Notes that the monthly snapshot and Council websites provides similar high-level project reporting to the public on projects and quarterly budgetary changes are included in the quarterly budget review; and
4. From the start of the new council term, for major projects over \$5 million (or an amount advised by ARIC), utilise the detailed project status report template developed by Willoughby Council to provide monthly reports to the governing body to ensure the governing body has all the information required to make timely and informed decisions in regards to risk and budget involved in the procurement and delivery of Major Projects and real-time reporting to Councillors on risk, and use of contingency of 50%.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - PROPOSED REVIEW TO SUPPORT THE REPORTING AND DELIVERY**  
**OF MAJOR PROJECTS**

Councillor Bridget Kennedy  
**Councillor**

Councillor Kathy Bryla  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.



**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - AFFIRMATION OF COUNCIL COMMITMENT TO AN INCLUSIVE SOCIETY**

**Subject:** Notice of Motion - Affirmation of Council Commitment to an Inclusive Society  
**Record No:** SU6891 - 39451/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Merri Southwood

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### **Executive Summary**

A motion recommending Council affirms its commitment to an inclusive community and respects the rights of its community members to observe the religious faith of their choosing.

### **Background**

Council's Community Strategic Plan – Liveable Lane Cove 2035 includes the following statements-

#### Our Vision

Lane Cove as a connected, inclusive, sustainable community

#### Our Mission

To be aware of and responsive to the diverse needs and aspirations of the Lane Cove community.

#### Our Guiding Principles

##### Community

To develop a strong inclusive community that promotes access, equity and participation in decision making, working towards a better Lane Cove for everyone.

The first goal of **Theme 1 Our Society** states –

Lane Cove will be a vibrant and inclusive community that supports all ages, abilities and backgrounds and welcomes a wide diversity of cultural religious and language groups. Lane Cove will make the most of this diversity, and will engage the resources, experiences and skills of its diverse members in creating a bright future for all.

The social cohesion of our society is being challenged both within Australia and overseas.

It is important that members of the Lane Cove community are assured that they are part of an inclusive community that recognises and respects the right of community members to observe a religious faith of their choosing.

It is also important that Lane Cove Council and its Councillors, by statement and conduct, demonstrate their commitment to the vision, mission and guiding principles outlined above.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - AFFIRMATION OF COUNCIL COMMITMENT TO AN INCLUSIVE SOCIETY**

**RECOMMENDATION**

That Council affirms its commitment to an inclusive community and respects the rights of its community members to observe the religious faith of their choosing.

Councillor Merri Southwood  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - DAMAGE, REMOVAL OR THEFT OF ELECTORAL MATERIAL DURING LOCAL GOVERNMENT ELECTIONS**

**Subject:** Notice of Motion - Damage, Removal or Theft of Electoral Material during Local Government Elections  
**Record No:** SU8993 - 39464/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Merri Southwood

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### **Executive Summary**

A motion regarding damage, removal or theft of Electoral Material during Local Government Elections 2024.

### **Background**

In the lead up to the local government elections held on 4 December 2021, electoral material of some candidates was removed, stolen or damaged.

This was particularly prevalent on the evening leading up to election day.

The material removed, stolen or damaged included corflutes, A-frames and banners.

Some candidates arrived at polling booths on election day to find their electoral material had been removed or damaged, including but not limited to, the slashing of banners, removal of banners and disposal in bushes and removal of corflutes from A-frames and replacement with corflutes of other candidates.

Electoral material is expensive and, in most cases, must be funded by candidates through their own funds or through donations.

Most candidates cannot afford, nor is it appropriate to expect that candidates can afford to have, back up supplies in case their electoral material is interfered with.

The NSW Electoral Commission is the appropriate authority to adjudicate on matters relating to the display of electoral material at polling booths, particularly on polling day. The local council is the appropriate authority in relation to the unauthorised display of electoral material on all other public land. The NSW Police is the responsible authority for theft or damage to private property, e.g. corflutes, A-frames and banners.

It is not appropriate for electoral material to be disturbed except by direction of the relevant regulatory authority.

The destruction or theft of electoral material is not only an impost on candidates but it represents an interference with the fair conduct of the local government electoral process.

Given that the next local government election is to take place on 14 September 2024, it is appropriate that current Councillors make a statement of condemnation of the behaviour that occurred in relation to the removal, theft or damage of electoral material in the conduct of the local government election on 4 December 2021.

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**NOTICE OF MOTION - DAMAGE, REMOVAL OR THEFT OF ELECTORAL MATERIAL DURING**  
**LOCAL GOVERNMENT ELECTIONS**

**RECOMMENDATION**

That Council :-

1. notes that the appropriate authorities to issue instructions or take action in relation to the display of local government election material are the relevant local council and/or the NSW Electoral Commission; and
2. condemns the removal, theft or damage of electoral material associated with local government elections unless such action has been authorised by an appropriate regulatory authority.

Councillor Merri Southwood  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - BUS SERVICE CHANGES LANE COVE**

**Subject:** Notice of Motion - Bus Service Changes Lane Cove  
**Record No:** SU1363 - 41013/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Rochelle Flood

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### **Executive Summary**

This motion seeks Council to advocate for better Bus Service outcomes for the community.

### **Background**

In December 2022, Lane Cove Council passed a motion to establish a reporting mechanism for late and cancelled bus services in the area. Additionally, the Council decided to oppose the privatisation of Region 7 buses, expressing concerns over potential negative impacts on service quality. This decision was driven by apprehensions that outsourcing bus services could lead to diminished service reliability and accessibility for residents. The upcoming changes, prompted by the launch of the Sydney Metro line from Chatswood to Sydenham, aim to improve connectivity and reduce service duplication. However, these changes proposed by Transport for NSW are raising concerns among residents regarding potential service reductions and increased travel complexity.

### **Discussion**

In January 2022, Busways took over Region 7 bus services, including those servicing Lane Cove. Despite assurances that privatisation would not compromise service quality, significant issues have emerged. Residents report frequent delays and extensive cancellations on key routes, including those connecting the city with Lane Cove West. In September, the NSW Legislative Council Inquiry into bus service privatisation released a report highlighting the adverse impacts of privatisation. The report found that privatisation created incentives for private companies to cut costs at the expense of vulnerable passengers, resulting in limited service delivery, higher costs for passengers, and deteriorating conditions for bus drivers.

Submissions to the inquiry detailed the negative effects on Region 7, including decreased services, cancellations, and staffing shortages due to worsening employment conditions post-privatisation. The committee recommended that the NSW Government consider reversing the privatisation of bus service contract regions, including Region 7.

Now, in addition to the ongoing problems our community is facing with unreliable bus services, Transport for NSW have proposed several significant service changes that could see a reduction in bus services in our suburbs. Potential service reductions are concerning for several reasons. First, evidence suggests that changes in transport modes can decrease public transport usage. A study found that simplifying and improving public transport services encourages greater use, which helps reduce traffic congestion, lower emissions, and promote cost-effective commuting (Australian Institute of Family Studies). Disruptions and forced mode changes can deter people from using public transport, leading to increased car use, higher emissions, and traffic congestion. This is particularly concerning in higher density areas including those in the Mowbray precinct, and parts of Lane Cove West which will no longer have a direct bus route to the CBD under these proposed changes.

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**NOTICE OF MOTION - BUS SERVICE CHANGES LANE COVE**

The proposed changes also pose specific risks for vulnerable populations, such as older adults and school children. For instance, the removal of direct bus services from Greenwich to Lane Cove CBD will require commuters to navigate steep hills and dangerous intersections, increasing the risk of accidents and making public transport less accessible. School children traveling from Greenwich to Lane Cove and Hunters Hill High School will need to change buses and cross busy intersections, posing safety risks and potentially causing delays.

**RECOMMENDATION**

That Council:-

1. Update the existing portal for lodging reports on late and cancelled bus services to include specific feedback on the impact of the upcoming route changes. This will allow the Council to gather detailed information on the effects of these changes (once implemented in August) and advocate for better service outcomes for our community; and
2. Write to Transport for NSW expressing the following:
  - a. The importance of maintaining and improving current service levels to avoid reduced accessibility and increased travel complexity for residents.
  - b. Concerns over the negative impact of changing transport modes on public transport usage, emphasizing the need to encourage public transport use to reduce emissions, congestion, and travel costs.
  - c. The potential risks posed to older adults and school children due to the need for multiple bus changes and navigating dangerous intersections.
  - d. Reiterating Lane Cove Council's opposition to the privatisation of bus services and endorsing the Legislative Council Inquiry's recommendation to reverse the privatisation of Sydney metropolitan bus services, including Region 7.

Councillor Rochelle Flood  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - DEVELOPING A TRANSITION PLAN TO REMOVE POKER MACHINES**  
**FROM COUNCIL OWNED VENUES**

**Subject:** Notice of Motion - Developing a Transition Plan to Remove Poker Machines from Council Owned Venues  
**Record No:** SU6840 - 41020/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Rochelle Flood

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### **Executive Summary**

This motion recommends Council develop a transition plan to remove poker machines from Council owned venues

### **Background**

Gambling, particularly through poker machines, has long been associated with significant social and economic harms in Australia. Despite making up less than 0.5% of the world's population, Australia hosts 20% of its poker machines.

NSW alone accounts for 87,000 poker machines. The sheer volume of poker machines makes it a focal point for gambling-related issues in our state.

In Lane Cove, two council-owned venues, The Diddy and Lane Cove West Bowling Club, currently have poker machines.

- The Longueville Sporting Club ('The Diddy'): 10 machines
- Lane Cove West Bowling Club: 7 machines

The financial reliance on pokies appears to be minimal in comparison to other revenue sources such as alcohol sales, indicating the feasibility of transitioning away from poker machines without severe economic disruption.

### **Discussion**

In 2023, residents in NSW lost over \$8 billion to poker machines and these losses are set to rise. For many, an addiction to poker machines manifests itself in housing insecurity, homelessness, food insecurity, relationship breakdown, domestic violence and suicide. The people of NSW never made a decision to have poker machines in every community. The accessibility and density of poker machines in NSW clubs and pubs, with over 92,000 machines, is at odds with the rest of the world where these addictive and damaging machines are mostly restricted to casinos.

Additionally, pokies are frequently linked to crime, including money laundering. Recent reports from the NSW Crime Commission highlight the role. A range of council's across Victoria have recognized these issues, implementing measures to restrict the spread of pokies and support affected individuals through community education and support programs, with some moving to restrict poker machines in council venues including Darebin Council, Monash Council and Macedon Ranges Council. The Northern Beaches Council has implemented a policy to work in collaboration with local clubs and hotels to assist with community education and harm minimization. These examples demonstrate that it is possible to balance economic interests with social responsibility.

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**NOTICE OF MOTION - DEVELOPING A TRANSITION PLAN TO REMOVE POKER MACHINES**  
**FROM COUNCIL OWNED VENUES**

Ensuring council venues are free of poker machines and gambling would also align with our community strategic plan priority 1.1 for community connections. Gambling in isolation does not foster social cohesion and it does not build a sense of community. Venues free of poker machines can help to encourage meaningful human connections, promoting a sense of community among patrons. It also helps deliver a family-friendly atmosphere, where families can feel comfortable visiting venues without worrying about potentially being exposed to gambling associated harms.

**RECOMMENDATION**

That Council :-

1. Develop a simple gambling harm reduction policy that aims to:
  - a. Phase out poker machines on council owned property (as property lease agreements come up for renewal)
  - b. Phase out gambling advertising on council-owned property,
2. Initiate preliminary conversation with the current leaseholders for the two council owned venues which currently house poker machines to begin discussions on possible steps towards becoming pokie-free venues - to help develop a supported transition plan.
  - a. In the interim, encourage the operators to display and actively promote harm minimisation support services as an immediate initiative; and
3. Investigate opportunities to expand on council's existing work to support and collaborate with organisations caring for people with gambling addictions and their families including GambleAware North Sydney and Central Coast (which covers the Lane Cove LGA), and other local providers. For example, this could include:
  - a. Helping direct residents to practical support webinars and workshops run by existing gambling support services (through formal or informal referrals)
  - b. Offering council venues for free to host gambling support meetings/events/workshops
  - c. Sharing gambling addiction campaign materials from the Department of Liquor and Gaming to help increase awareness of gambling harms and to broaden the reach of these important campaigns.

Councillor Rochelle Flood  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.



**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - COMMUNITY E-SHUTTLE FOR LANE COVE**

**Subject:** Notice of Motion - Community E-Shuttle for Lane Cove  
**Record No:** SU1697 - 41024/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Rochelle Flood; Councillor Bridget Kennedy

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### **Executive Summary**

This motion recommends that Council conduct a study to investigate the feasibility, cost, and logistics of introducing a community e-shuttle, or regular shuttle bus service within the Lane Cove LGA.

### **Discussion**

Part of Transport NSW's Future Transport Strategy, which provides a framework for including transport in planning and program delivery, includes the idea of the 15 minute neighbourhood.

The vision for 15-minute neighborhoods' allows communities to be strong, vibrant and active. Walking, cycling and micro mobility support 15-minute access to everyday destinations and local transport networks.

Local Councils can implement strategies to support this vision. There are a range of benefits from implementing a community e-shuttle in Lane Cove including:

1. **Reduced Congestion and Pollution:** By providing a free or low cost and convenient shuttle bus service, we can reduce the number of private vehicles on our roads, thereby decreasing traffic congestion and lowering greenhouse gas emissions.
2. **Enhanced Accessibility:** Some of our community also have challenges navigating hills, and uneven surfaces and there is a sense of isolation felt by some residents due to transport restrictions. A community shuttle bus service will provide vital transport links for residents who may not have easy access to private or public transport, including the elderly, disabled, and economically disadvantaged. We can connect residents to the main shopping hubs in Lane Cove, as well as bigger transport interchange points in the LGA including the bus interchange and St Leonards station.
3. **Community Cohesion:** Such a service promotes social inclusion, allowing residents to easily access community events, local businesses, and essential services.
4. **Economic Benefits:** By improving transport links, local businesses can benefit from increased foot traffic and customer accessibility, supporting the local economy.

### **Examples of Successful Community Shuttle Bus Services:**

1. **City of Canada Bay:**
  - The BayRider service offers free shuttle buses connecting key locations within the LGA, including shopping centres, community hubs, and transport interchanges.
  - Usage: Approximately 150,000 passengers annually.
2. **City of Ryde:**
  - The Shop Ryde community bus service provides convenient connections between major residential areas, shopping precincts, and public transport nodes.
  - Usage: Over 200,000 passengers annually.

**3. Northern Beaches Council:**

- The Hop, Skip & Jump shuttle bus network operates across multiple routes, serving residents with easy access to local amenities and public transport.
- Usage: Around 250,000 passengers annually.

The introduction of a community shuttle bus service in Lane Cove aligns with our commitment to sustainability, inclusivity, and improving the quality of life for all residents. It is a practical step providing missing transport links, moving us towards a more connected, environmentally friendly, and accessible community. Community shuttle bus services have proven to be successful in numerous Local Government Areas (LGAs) across New South Wales, significantly benefiting local residents by reducing congestion, pollution, and promoting inclusivity.

**RECOMMENDATION**

That Council conduct preliminary investigations into the feasibility, cost, and logistics of introducing a community e-shuttle, or regular shuttle bus service within the Lane Cove LGA. This study should consider:

- Potential routes covering key residential, commercial, recreational areas, and transport hubs.
- Scheduling that aligns with peak usage times and maximizes accessibility.
- Estimated costs and potential funding sources, including grants and partnerships, sponsorship from local shops, optional small donations from bus users etc.
- Opportunities for collaboration with other LGAs (e.g. Willoughby)
- Feasibility of running this as a free service or by donation to keep costs for users minimal; and

Councillor Rochelle Flood  
**Councillor**

Councillor Bridget Kennedy  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - FOOD ORGANICS AND GARDEN ORGANIC (FOGO)/WASTE**  
**UPDATES**

**Subject:** Notice of Motion - Food Organics and Garden Organic (FOGO)/Waste Updates  
**Record No:** SU2388 - 41127/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Bridget Kennedy

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### **Executive Summary**

This motion recommends that Council Give the highest priority to researching and implementation of a Council-wide food collection service and that the new incoming Council are briefed on our regional waste practices and position, including FOGO.

### **Discussion**

The NSW State government has recently changed the mandate that all councils provide food organics and garden organic waste collections (FOGO) to every NSW household from 2027 to 2030.

Lane Cove Council currently trucks, then sends by train our red bins to a purpose-built Mechanical Biological Treatment (**MBT**) facility at Woodlawn, south of Sydney. Approximately 50% of the waste is diverted from landfill by converting into Mixed Waste Organic Output (MWO) compost, matured on site with the intention to rehabilitate the neighbouring Woodlawn Zinc Copper mine through application to land. A ban imposed by the NSW Environment Protection Authority (EPA) in October 2018 prevents the application to land of this type of material; however, Veolia was granted a site specific Resource Recovery Order and Exemption on 14 May 2020, which permits a trial of the use of Woodlawn Organic Outputs (WOO) in the rehabilitation of tailings dams at the Woodlawn Zinc Copper mine. The trial commenced in February 2021. It is noted that the grazing of animals or growing of food produce in the area is prohibited due to contamination hazard concerns.

In 2022 five Northern Sydney councils, including Lane Cove, conducted a food organics waste collection services pilot programme. The pilot involved a trial food organics service for over 2,000 premises across four local government areas between March and July.

Although many people who responded to the FOGO survey were very positive, the overall results for the separation and presentation of food waste show just how challenging it will be to provide a cost effective service for residents.

But challenging as it is, we need to proactively find ways to reduce the amount of food organics in our waste stream, not only for sustainability reasons, but also because the cost of waste is increasing and we are running out of landfill sites.

Every tonne of organic waste diverted from landfill saves 1.5 tonnes of CO2 from being emitted and can be processed into high-quality commercial compost to enrich soils in parks, sporting fields, and agriculture," (NSW Environment Protection Authority).

**Ordinary Council Meeting 18 July 2024**  
**NOTICE OF MOTION - FOOD ORGANICS AND GARDEN ORGANIC (FOGO)/WASTE**  
**UPDATES**

**RECOMMENDATION**

That Council:-

1. Give the highest priority to researching and implementation of a Council-wide food collection service given the mandate, noting that there will be penalties for those who do not comply with introducing FOGO in by 1 July 2030; and
2. Notes that Council is continuing work with NSROC in implementing regional waste programs and initiatives and that in the next 12 month will be conducting research to prepare for the NSW Government mandate for food collection services by 2030;
3. Provide an update on:
  - a. Staff Bin Trim Assessor training, and progress on implementation on core components of the Bin Trim Networks Program;
  - b. The NSROC Regional Organics Implications Study;
  - c. Specifics on when the site specific Resource Recovery Order and Exemption trial to permit the use of Woodlawn Organic Outputs (WOO) in the rehabilitation of tailings dams at the Woodlawn Zinc Copper mine is planned to be terminated (if prior to 2030); and
4. That the new incoming Council are briefed on our regional waste practices and position, including FOGO, and offered a visit to nearby innovative FOGO waste processing solutions such as the GoTerra Soldier Fly Larvae food waste processing plant at Barangaroo.

Councillor Bridget Kennedy  
**Councillor**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**14 GAY STREET - FUTURE USE AND MANAGEMENT**

**Subject:** 14 Gay Street - Future Use and Management  
**Record No:** SU8218 - 40170/24  
**Division:** Open Space and Infrastructure Division  
**Author(s):** Martin Terescenko; Jeff Culleton

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### **Executive Summary**

Council understands the community's desire to protect and increase Council's ownership of bushland in the LGA. Since 2010 Council has acquired over 14,000m<sup>2</sup> of bushland.

14 Gay Street has highly valued bushland and a portion of the property is effectively part of the Upper Stringybark Creek Reserve as it extends further into the reserve than the surrounding properties.

In 2022 Council was lobbied by the Lane Cove Bushland and Conservation Society (LCBCSC) and members of the Bushland Management and Conservation Committee (BMAC) to purchase 14 Gay Street. The Lane Cove Bushland and Conservation Society correspondence supported Council's strategy adjusting the boundary so that the area adjoining the bush track was acquired and then selling the reduced sized front lot to recoup the cost of purchase.

Council purchased the property in March 2023 for \$3.3M and in October 2023 Council resolved to undertake community consultation on three options for the property. Community consultation was undertaken in May and June 2024.

The consultation results confirmed Council's understanding that maximising the acquisition of bushland is important to the community and Council has a proven track record in achieving this goal. To maximise the protection of bushland and the acquisition of more open space in the Local Government Area, Council needs to be able to take every opportunity available to protect it and increase Council's ownership. For Council to achieve this it needs to be strategic in its decision making so that all potential opportunities can be realised. To maximise this potential, the most appropriate course of action is to recommend that Council resolve to pursue Option 1 where the property is subdivided and Council constructs a best practice sustainable home that can be used as a demonstration home before ultimately being sold to recoup part of the land acquisition costs. The Bushland will be protected by classifying the bushland lot to Community Land under the Local Government Act.

### **Background**

A large portion of 14 Gay Street is effectively part of the Upper Stringybark Creek Reserve as it extends further into the reserve than the surrounding properties. The reserve is located adjacent to the rear boundary and the bush track in the Reserve and traverses the rear portion of the property. As the property was privately owned, Council was unable to rezone the rear portion of the property as C2 (Environmental Conservation). To recognise and protect the high value bushland at the rear portion of the property, this part of the site was designated as an Environmental Protection Zone as part of a Housekeeping Planning Proposal in 2017.

Also in 2017, 14 Gay Street was sold for first time in around 100 years. The new owner lodged a DA for the construction of a multi dwelling housing development comprising 7 townhouses with parking, driveway areas, landscaping and infrastructure works with the potential removal of 134 trees. Council refused this DA as there were major concerns including significant environmental impacts. The property then changed hands again in 2018 and this owner lodged an amendment to the original concept which now proposed the removal of 86 trees instead of 134. The amended DA

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**14 GAY STREET - FUTURE USE AND MANAGEMENT**

was again refused due to development non-compliance concerns and the unacceptable impacts to the endangered ecological communities on site and the detrimental impacts the proposal would have to the bushland onsite.

In 2022 Council was lobbied by the Lane Cove Bushland and Conservation Society (LCBCSC) and members of the Bushland Management and Conservation Committee (BMAC) to purchase the property. They suggested that Council should buy the property, adjust the boundary so that the area adjoining the bush track is acquired and then sell the reduced sized lot, recouping part of the cost.

In early 2023 an opportunity arose for Council to purchase 14 Gay Street. To protect and preserve the rear of the site recognising that it is a key portion of the Upper Stringybark Creek Reserve, on 17 March 2023, Council finalised its purchase of the property at a cost of \$3.3M using its Land Acquisition Reserve and Section 7.11 funds. It was then intended to undertake further investigation to determine the best course of action for the future use/s of the property.

At the May 2023 Council meeting it was resolved to classify the property as Operational Land, undertake further investigations of the property and report the findings back to Council.

At the October 2023 Council Meeting the findings of the investigations for the site were reported to Council and it was resolved to:

1. *Undertake community consultation in line with the community consultation strategy outlined in the report, on three (3) options for the future use of the 14 Gay Street property:*
  - a. *Sub-divide the property into two (2) lots with the rear portion of the site being zoned as Bushland (C2) and the front portion of the site being zoned as residential land (R2) and construct a best practice sustainable home that can be used as a demonstration home before ultimately being sold to recoup part of the land acquisition costs.*
  - b. *Sub-divide the property into two (2) lots with the rear portion of the site being zoned as Bushland (C2) and the front portion of the site being zoned as residential land (R2) and build two 'micro houses' (dual occupancy) that can be permanently used for affordable housing*
  - c. *The entire lot be zoned as Bushland (C2)*
2. *Include a bush track connection as part via the existing Council drainage reserve along the western edge of the site in any future proposals for the site;*
3. *Include in the consultation material and other information that is relevant to the options detailed above such as indicative boundaries of subdivision, clarity as to whether marked buffer zone is to be on public or private land, and other information that is relevant to the options detailed above.*

## **Discussion**

### Land Acquisition Funding

The Lane Cove LEP 2009 includes land identified for acquisition in the Land Reservation Acquisition Map as follows:-

- Land for local open space (C2) = 21 lots
- Land for regional open space (C2) = 3 lots

These lots are zoned C2 - Environmental Conservation zone as they are areas that contain high ecological, scientific, cultural, or aesthetic values. The Map was last reviewed in 2009, it does not

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**14 GAY STREET - FUTURE USE AND MANAGEMENT**

include 14 Gay Street for acquisition. A full list of the properties to be acquired (typically it is the rear of the property only) is included at **AT-2**, it totals 10,596 of open space.

To purchase properties Council has two main mechanisms at its disposal. The first is using Section 7.11 funds to purchase properties that have been nominated for purchase in the 7.11 plan to extend Council's open space or bushland.

Council's current Section 94 / s7.11 Works Schedule – updated in September 2023 provides the following funding for open space acquisition: -

- Foreshore land acquisition \$7,947,083
- Open Space land acquisition and embellishment \$2,269,167

There are 21 properties that relate to foreshore land, the remainder non-foreshore land. As 14 Gay Street is non foreshore land the Open Space land acquisition and embellishment component was used for the s7.11 funding component for acquiring 14 Gay Street.

The other mechanism that Council uses is to use Council's Land Acquisition Reserve. This reserve is generally used to purchase properties that Council has resolved to purchase for strategic purposes not open space. Council has resolved to acquire two strategic sites if they become available, the Reserve does not currently have sufficient funds available to acquire both. As 14 Gay Street was purchased using 50% of funds from the Land Acquisition Reserve and 50% from the Section 7.11 funds. If Council does wish to retain the whole site for open space, then the appropriate funding source is the s7.11 Plan, however it identified only \$2,269,167, which means it would not be able to fully fund the 14 Gay Street acquisition. As 14 Gay Street was not included in the Plan, any use of the Open Space land acquisition and embellishment component also means there is limited funding for other non-foreshore acquisition of bushland in Bushland Park.

The other way Council is able to obtain ownership of bushland is via the use of Voluntary Planning Agreements (VPAs). These agreements are negotiated between a developer and a council for the provision of infrastructure or land for public benefit. Another method is land swaps where Council has previously swapped land with a State Department for the creation of Open Space.

Using all of the above-mentioned methods, since 2010 Council has managed to gain ownership of over 18,000m<sup>2</sup> of open space which includes more than 14,000m<sup>2</sup> of bushland. The table below lists these acquisitions:

| <b>Address</b>    | <b>Park/Reserve</b> | <b>Area</b>                | <b>Bushland</b>            |
|-------------------|---------------------|----------------------------|----------------------------|
| 150 Epping Road   | Yangoora Bushland   | 12,781m <sup>2</sup>       | yes                        |
| 34A Ronald Avenue | Bushland Park       | 466m <sup>2</sup>          | yes                        |
| 552 Mowbray Road  | Djanaba Park        | 690m <sup>2</sup>          |                            |
| Pinaroo Place     | Mindarie Park       | 3,174m <sup>2</sup>        |                            |
| 15 Centennial     | Batten Reserve      | 1,442m <sup>2</sup>        | yes                        |
| <b>Total</b>      |                     | <b>18,553m<sup>2</sup></b> | <b>14,689m<sup>2</sup></b> |

Other Current Acquisitions of Bushland

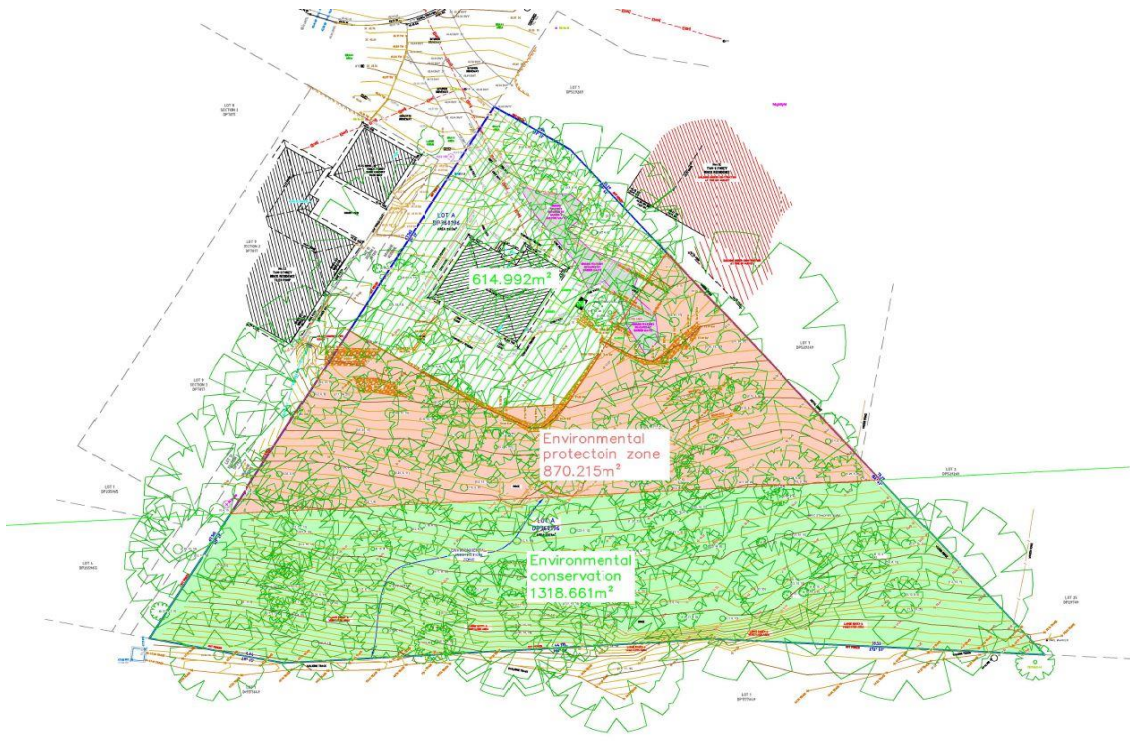
A separate report is included to this Council meeting for the acquisition of 347A Burns Bay Road which has been nominated in the for acquisition in both the Land Reservation Acquisition Map and Council's Section 7.11 plan because it is a foreshore bushland lot that is Zoned C2. As the property is on the land acquisition list it can be purchased using Section 7.11 funds if they are available. As there are insufficient Section 7.11 funds available, it is proposed to temporarily fund the acquisition.

Results of Community Consultation

Community consultation was undertaken from 15 May 2024 to 26 June 2024. The consultation was on Council's "Have Your Say" page of the website and notification letters were delivered to the surrounding area including Gay Street, Karilla Avenue, Kariola Street and Roslyn Street. Email notifications were sent to previous respondents from the last consultation.

The Consultation consisted of a survey that asked respondents to rank their preference for the below three options from most preferred to least preferred:

1. **Option 1:** Subdivide the block and construct a best practice sustainable home that can be used as a demonstration home before ultimately being sold to recoup part of the land acquisition costs.
  - 2,188m<sup>2</sup> of bushland area is created
  - Changes in zoning:
    - Lower portion to be Council owned and rezoned to C2 Environmental Conservation
    - Mid portion to be Council owned and rezoned to RE1 Public Recreation with Environmental Protection caveat
    - Top portion to remain as R2 low density residential, 615 m<sup>2</sup>.





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2. **Option 2:** Subdivide the block and build two 'micro houses' (dual occupancy) that can be permanently used for affordable housing.
- 2,052m<sup>2</sup> of bushland area is created
  - Changes in zoning:
    - Lower portion to be Council owned and rezoned to C2 Environmental Conservation
    - Mid portion to be Council owned and rezoned to RE1 Public Recreation with Environmental Protection caveat
    - Top portion to remain as R2 low density residential, 751m<sup>2</sup>.



3. **Option 3:** Dedicate the entire site to Bushland. i.e. rezone entire site to C2.
- 2,801m<sup>2</sup> of bushland is created
  - Changes in zoning:
    - Entire lot to be rezoned C2 Environmental Conservation



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To provide context and background information for the three options, a Community Information Package (AT-1) was developed that was located on the “Have Your Say” page on Council’s website along with the survey. The survey permitted respondents to provide additional comments as free text.

In total 432 responses were received from the consultation. Of these 155 responded via the survey on the “Have Your Say” page on Council’s website and 247 responded directly via email.

The survey results showed that 81% of respondents favoured Option 3 – Dedicating the site to bushland. Furthermore, the survey results indicated that if the property wasn’t retained entirely as bushland, then the next most preferred option was Option 1 where the lot is subdivided and a single sustainable dwelling is constructed.

The combination of all survey comments and written submissions have been summarised into 16 main points. Council’s responses to these points are summarised in the tabled below.

| <b>Issue</b>                                                                                                 | <b>Council Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Many respondents strongly advocate for retaining the site of 14 Gay Street as bushland                       | The sentiment of the responses is to preserve the entirety of 14 Gay Street as bushland. Respondents emphasised the ecological significance of the site, its value as habitat for wildlife (including species like the powerful owl), and its role in maintaining biodiversity in an increasingly urbanised area. All three options propose to protect over 70% of the site as bushland. Options 1 and 2 propose to construct a single dwelling or two micro homes the top section of the block that has had a dwelling on it for many decades. Council purchased the block in response to community requests to purchase it and subdivide it in order to protect the rear portion of the site. |
| Concerns about overdevelopment in Lane Cove and the loss of green spaces due to housing developments nearby. | The property is a residential block zoned R2 that has had a dwelling on it for many decades. Demolishing the existing dwelling and either constructing a new single dwelling or two micro homes is permissible in R2 zoned land. This lot is not at risk of over development.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Emphasis on the importance of greenspace for residents, wildlife habitat and the overall environment.        | Council recognises the importance of greenspace and wildlife habitat. That is why Council bought this block. All three options dedicate over 2,000m <sup>2</sup> of additional land to bushland.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Views that the site was purchased by Council to expand bushland and should remain dedicated to that purpose. | It is noted that many feel strongly that the site was purchased for the specific purpose of preserving bushland and should not be developed. Council will still be preserving bushland in all options. Each option will expand Council’s bushland portfolio.<br>Option 1 expands bushland by 2,188m <sup>2</sup> (78% of site area).<br>Option 2 expands bushland by 2,052m <sup>2</sup> (73% of site area).<br>Option 3 expands bushland by 2,801m <sup>2</sup> (100% of site area).<br>All options achieve the objective to expand Council’s bushland portfolio.                                                                                                                              |
| Strong opposition to any form of development on the site, particularly residential or commercial.            | The site is already zoned R2 with a residential dwelling on it. Options 1 and 2 propose either a replacement single dwelling or two micro houses. There are no plans for a commercial development. If development was to occur on this site it would be                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**Ordinary Council Meeting 18 July 2024**  
**14 GAY STREET - FUTURE USE AND MANAGEMENT**

| <b>Issue</b>                                                                                                                                                                       | <b>Council Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                    | done under Council's current building controls demonstrating sensitive sustainable design to accommodate the many native trees on site (i.e. no large native trees on site will be removed).                                                                                                                                                                                                                                                                                                                                              |
| Concerns about the impact of development on local infrastructure, traffic congestion and community character.                                                                      | Replacing a like for like single dwelling or 2 micro houses on this block will not create traffic congestion in this street. It is important to clarify that options 1 and 2 propose to replace the existing house with either a single residential house or two micro houses. It will not contribute to increased urban density. The house will integrate seamlessly into the existing residential character of the area and will not lead to overcrowding or excessive development.                                                     |
| Arguments against the financial justification for development and the potential loss of existing trees and wildlife habitat.                                                       | Council purchased the property for \$3.3M and has an opportunity to recoup some of those costs to allow for the purchase of additional open space or bushland.<br>There are no plans to remove any native trees from the site.                                                                                                                                                                                                                                                                                                            |
| Support for option 3, which advocates for preservation of the entire site as bushland.                                                                                             | Council recognises the need to preserve bushland that is why it has purchased this particular block. All three options dedicate over 2,000m <sup>2</sup> of land as additional bushland.                                                                                                                                                                                                                                                                                                                                                  |
| Reasons include maintaining community access to greenspace, protecting endangered species like powerful owls and aligning with Councils initial intentions of purchasing the land. | Currently there is no formal public pathway to the reserve from Gay Street. All three options propose the provision of a bush track link from Gay Street to the bush track in Stringybark Creek Reserve located at the rear of this property. The preservation of endangered species, including the powerful owl, is a priority in our wildlife management strategy and that is why no native trees are proposed to be removed.                                                                                                           |
| Concerns about the environmental impact of development including tree removal and disruption to the ecosystem.                                                                     | The property is already a residential block with a dwelling on it. Council is committed to preserving the natural landscape of the site, with the intention that no native trees will be removed for any of the proposed options. Should any construction be approved for the site Council will engage a suitably qualified arborists to verify that our construction will not adversely affect any trees. As no significant trees will be removed there will be no loss to wildlife habitat, nor will it adversely affect the ecosystem. |
| Calls for sustainable practices in any development or regeneration efforts if undertaken.                                                                                          | Council agrees with the need for a sustainable development and are committed to integrating these principles into any of the options thus protecting flora and fauna on the site.                                                                                                                                                                                                                                                                                                                                                         |
| Concerns that development contradicts Council policies on conservation and sustainability.                                                                                         | The property has an existing dwelling and is zoned R2. It is permissible to construct a single dwelling or two micro houses in this zoning. Council believes that this project could demonstrates a responsible and thoughtful approach to development that aligns with the Council's vision for conservation and sustainability.                                                                                                                                                                                                         |
| Frustrations expressed regarding the survey format.                                                                                                                                | Council recognises the importance of effective community engagement. The 3-option ranking system was necessary to capture not only the primary but also secondary and tertiary preferences, providing a comprehensive understanding of                                                                                                                                                                                                                                                                                                    |

**Ordinary Council Meeting 18 July 2024**  
**14 GAY STREET - FUTURE USE AND MANAGEMENT**

| <b>Issue</b>                                                                                                                                                                                                | <b>Council Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                             | community priorities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Calls for transparency in decision making process and adherence to Councils stated environmental and community objectives.                                                                                  | This process has already been reported to Council on three occasions to keep the community abreast of the progress and it has been clear in its objectives for the site. Any proposal for the site will adhere to Council's development controls.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Assertions that the community's desires should take precedence over financial considerations or potential profits from development.                                                                         | Council needs to look at all options and be fiscally responsible in this regard. It needs to consider all options to manage this site and all other sites that it can potentially purchase to maximise any potential increases in open space and bushland.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Concerns are raised about the practicality and safety of accessing the bushland under Options 1 and 2, particularly due to potential encroachment on the natural habitat and restrictions in public access. | Currently there is no formal public access to the reserve from Gay Street. All three options propose the provision of a bush track link from Gay Street to the bush track in Stringybark Creek Reserve located at the rear of this property. Council regularly undertakes bush track works in it reserves and will ensure the tracks are safe with minimal environmental impact.<br>The bush track access is intended to provide public access to the bushland where none currently exists, making it easier for the public to enjoy and explore the area without causing harm to the environment. This approach balances accessibility with conservation, allowing more people to appreciate the natural beauty of the bushland responsibly. |

Of the 19% of respondents that were in favour of either options 1 or 2, their main comments were:

- Building a single home whilst protecting the bushland at the rear achieves exactly what Council was trying to do with this purchase.
- Subdividing the property and building a single house at the front with the rear kept as bushland is the best option as it maintains the primary objective of increasing bushland for the community.
- Selling a new dwelling will offset the initial capital cost in purchasing the property while achieving the intended outcome of increasing bushland.
- As part of the land is being kept as bushland it makes sense to retain a portion where there is already a dwelling.
- All three options keep the majority of the site as bushland so Council should recoup some of its initial outlay.
- By keeping a single dwelling Council will maintain the current built form of the street.
- Due to the current housing crisis Council should retain existing housing, not remove it.
- Council should contribute to the issue of affordable housing by increasing the housing stock, not reducing it.
- Building the two tiny homes would provide a future income for Council.
- Building a single dwelling makes sense as it does not increase traffic congestion.
- A single dwelling is preferred as having two properties on the block will make too much congestion on the existing driveway that already services three properties.
- Trying to revegetate the degraded area where the existing house is, would be expensive and take a lot of resources while selling the top portion will generate a return for Council.
- Keeping the entire property as bushland is attractive however, providing housing is the better option.

**Ordinary Council Meeting 18 July 2024**  
**14 GAY STREET - FUTURE USE AND MANAGEMENT**

- Making the entire site C2 land will reduce the value of the two neighbouring properties because it limits future upgrades to these dwellings.
- Making the property entirely bushland is indulgent given the current need for housing.

### Assessment

The community's desire to maximise the creation of additional bushland is understood and the consultation results reflected this. Council has a proven track record of acquiring new bushland and this is demonstrated by the more than 14,000m<sup>2</sup> of bushland that Council has acquired over the past 14 years.

While the consultation indicated there is strong support for keeping the entire property as bushland the survey comments and written submissions show that a proportion of the respondents were under the impression that the other proposed options would involve development works on the entire site or that a large number of trees were proposed to be removed. In fact, none of the options proposed the removal of any of the native trees on the site and Options 1 and 2 protect 78% and 73% of the site respectively. In regard to the issue of potential over development, Options 1 and 2 proposed the construction of a single dwelling or two micro houses on a lot that already has a dwelling.

### **Conclusion**

The consultation results confirmed Council's understanding that maximising the acquisition of open space and in particular bushland is important to the community and Council has a proven track record in achieving this goal by acquiring more than 14,000m<sup>2</sup> of bushland over the past 14 years.

In this instance Council has taken \$3.3M from its Land Acquisition Reserve and Section 7.11 funds (50% from each fund) and now has the potential of increasing Council owned bushland by another 850m<sup>2</sup> with the purchase of 347A Burns Bay Road. To maximise the protection of bushland and the creation of more open space in the LGA, Council needs to be able to take every opportunity available to protect it and increase Council's ownership. For Council to achieve this it needs to be strategic in its decision making so that all potential opportunities can be realised. To maximise this potential, the most appropriate course of action is for Council to pursue Option 1 where the property is subdivided, and Council constructs a best practice sustainable home that can be used as a demonstration home before ultimately being sold to recoup part of the land acquisition costs, which ultimately provide for Council to acquire more open space.

### **RECOMMENDATION**

That Council adopt Option 1 - Subdivide the block and construct a best practice sustainable home and:

1. The property be subdivided into 2 lots, Lot 1 to compromise the bushland area of 2,188m<sup>2</sup> and Lot 2 to compromise the proposed residential area of 615 m<sup>2</sup>.
2. Lot 1 be classified as Community Land under the Local Government Act.
3. Council in the next general LEP update rezone the bottom portion of Lot 1 to C2 and the upper portion RE1, to allow for the bushland buffer zone to be located entirely within Lot 1.
4. Council consider as part of the 2025/26 budget the construction of a best practice sustainable home on Lot 2 that can be used as a demonstration home before ultimately being sold to recoup part of the land acquisition costs.

**Ordinary Council Meeting 18 July 2024**  
**14 GAY STREET - FUTURE USE AND MANAGEMENT**

Martin Terescenko  
**Director - Open Space and Infrastructure**  
**Open Space and Infrastructure Division**

**ATTACHMENTS:**

|                                  |                                               |         |                             |
|----------------------------------|-----------------------------------------------|---------|-----------------------------|
| <b>AT-1</b> <a href="#">View</a> | 14 Gay Street - Community Information Package | 7 Pages | Available<br>Electronically |
| <b>AT-2</b> <a href="#">View</a> | List of Locations for Acquisition of Land     | 1 Page  | Available<br>Electronically |

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

**Subject:** Lane Cove North Speed Reduction Proposal  
**Record No:** SU8905 - 34329/24  
**Division:** Open Space and Infrastructure Division  
**Author(s):** Sashika Perera

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### **Executive Summary**

At the March 2021 Council meeting, it was resolved that:

- Council request at the April Local Traffic Committee meeting, a 40km/h zone for Lane Cove North (not inclusive of Mowbray Road, Pacific Highway, Epping Road) be considered.

As per the above resolution, Council has been in discussions with Transport for NSW (TfNSW) in regard to a speed limit reduction program in Lane Cove North.

Subsequently, TfNSW successfully nominated this project for grant funding under the Safe Speeds in High Pedestrian Activity Areas program.

Following the successful grant application, Consultation Plans (**AT-1**) were developed, and consultation was carried out between 22 December 2023 and 18 February 2024.

The overall proposal received majority support from consulted residents (63%).

The proposal was referred to the March 2023 Traffic Committee where the Committee also requested amendments to the consultation plans.

Following these amendments, the Final Concept Plans (**AT-2**) were circulated to all members of the Traffic Committee for comment. No comments were received by Council on the Final Concept Plans.

This report outlines the amendments to the Consultation Plans and proposes that Council, as per the Final Concept Plans included in **AT-2** and subject to detailed design, commence construction on the Lane Cove North Speed Reduction proposal for the following treatments:

- Continuous footpath treatments on Willandra Street, Mindarie Street, Girraween Avenue at the intersection with Mowbray Road;
- Continuous footpath treatments on Elizabeth Parade, Arding Street, Canberra Street at the intersection with Centennial Avenue;
- Speed humps along the local streets;
- Raised pedestrian crossing on Helen Street at Goodlet Reserve;
- 2 metre parking lanes and 3 metre travel lanes on Karilla Avenue between Centennial Avenue and Kurri Street to ensure Karilla Avenue appears narrow to reduce speed;
- Raised pedestrian crossing on Karilla Avenue at its intersection with Centennial Avenue and remove existing pedestrian refuge;
- Rumble strip on Karilla Avenue at the intersection with Kurri Street;
- Pedestrian refuge on Burley Street at the intersection with Pacific Highway;
- Raised pavement with pedestrian crossings on all approaches of the Mindarie Street/Kullah Parade/Hatfield Street intersection;
- All associated signage and line markings.

## Background

The Lane Cove North Speed Reduction Proposal was successfully nominated for grant funding following discussions with Council.

The proposal is one of many initiatives introduced by TfNSW to ensure a safer environment for vulnerable road users such as pedestrians and cyclists.

To achieve a formal reduction in speed, number of devices would require installation. The following devices were proposed and consulted on:

- Raised cyclists and pedestrian priority crossings on Willandra Street, Mindarie Street and Girraween Avenue at their intersection with Centennial Avenue;
- Speed humps on local streets;
- Raised pavement with marked pedestrian crossings on all four approaches at the intersection Mindarie Street and Kullah Parade;
- Rumble strips on Karilla Avenue at Kurri Street;
- Associated signage and line marking.

Consultation for the Lane Cove North Speed Reduction Proposal was undertaken between 22 December 2023 and 18 February 2024.

Council delivered 4706 letters to the consultation area outlined in **AT-3**.

## Discussion

### Consultation Results

Council received 120 responses via the survey platform and 13 written submissions. Of the 120 responses, 10 were duplicate responses from the same address. Not considering the duplicates, this is a 2.3% response rate.

63% of consulted residents were in support of the proposal while 37% objected (this is based on 110 responses from the survey platform). The results are depicted in the graph below.

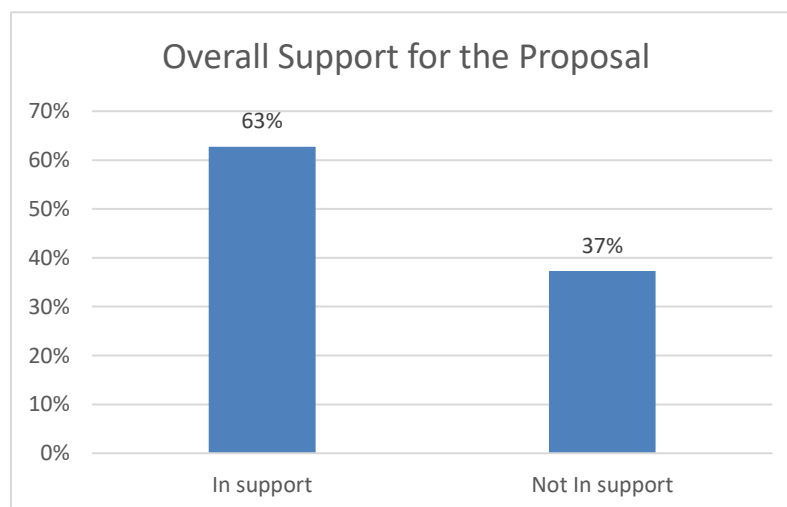


Figure 1: Support for the overall proposal



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**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

**Key themes from consultation**

Key themes from the consultation are outlined for the overall study area in Tables 1. Comments from TfNSW are outlined in Table 2.

Comments from the survey platform and written submissions are considered below.

Table 1: Overall study Area

| <b>Resident comment</b>                                                                                                                                                                          | <b>Council comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Recommendation</b>                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The bike and pedestrian crossings on the side streets off Mowbray Road are too close to the intersections.</p> <p><b>(Refer to Consultation Plans Sheet # 5, 6, 7)</b></p>                    | <p>The minimum set back from the roadway to the bike crossing is 6 and 7 metres for a straight crossing and bent-in crossing respectively.</p> <p>While the Mindarie Street crossing is as per the guidelines, the bike crossing on Girraween Avenue will need to be reviewed.</p> <p>On further investigation, a continuous footpath treatment is a better option for these intersections due to the site constraints i.e. Girraween Avenue. A continuous footpath treatment will ensure the crossing remains at the desire lines. Garden beds have been included in the design to ensure setback wherever possible although not required as per the guidelines.</p> <p>It is important to note that cyclists and pedestrians still have priority at these intersections.</p> | <p>Install Continuous footpath treatments on Willandra Street, Mindarie Street and Girraween Avenue</p> <p><b>(Refer to Final Concept Plans Sheet # 5,6,7)</b></p> |
| <p>The series of speed humps on Gordon Crescent and Kullah Parade are proposed at blind corners and may be dangerous</p> <p><b>(Refer to Consultation Plans Sheet #10, 11, 12, 13,14,15)</b></p> | <p>Gordon Crescent and Kullah Parade are winding roads that also contain numerous driveways to multi-unit dwellings. As such, placement of speed humps is challenging.</p> <p>The proposal comprises of advanced warning signs on either side of Gordon Crescent and Kullah Parade, in addition to advisory speed limits at each device.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>No further action required.</p>                                                                                                                                 |

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

|                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                      | This is considered adequate to ensure drivers are aware of the presence of speed humps.                                                                                                                                                                                                                                        |                                                                                                                                                                |
| The two speed humps located near the Goodlet reserve on Helen Street to be converted into a crossing.<br><br><b>(Refer to Consultation Plans Sheets # 44, 45)</b>                                                                                                    | Given the proximity to Goodlet Reserve, Council can consider the conversion of one speed hump (near 67-71 Helen Street) to be converted to a raised pedestrian crossing.<br><br>Lighting will need to be considered as part of this proposal.<br><br>The proposed raised crossing will result in the loss of 8 parking spaces. | Install raised pedestrian crossing on Helen Street near Goodlet Reserve.<br><br><b>(Refer to Final Concept Plans Sheet # 34)</b>                               |
| A crossing is needed on Centennial Avenue at the bus stop between Mowbray and Epping Roads.                                                                                                                                                                          | A pedestrian refuge on Centennial Avenue was approved at a Traffic Committee in 2023.                                                                                                                                                                                                                                          | No further action required under scope of this project.                                                                                                        |
| A threshold should be considered on Elizabeth Parade between the roundabout and Centennial Avenue                                                                                                                                                                    | Given the presence of a SUP on Centennial Avenue, bike and pedestrian crossings need to be considered at Elizabeth Parade, Arding Street and Canberra Avenue.                                                                                                                                                                  | Install continuous footpath treatments on Elizabeth Parade, Arding Street and Canberra Street.<br><br><b>(Refer to Final Concept Plans Sheet # 24, 42, 43)</b> |
| The speed reduction proposal should include Mowbray Road and Centennial Avenue                                                                                                                                                                                       | Mowbray Road and Centennial Avenue are regional roads. TfNSW would not generally support a speed limit reduction on these roads.<br><br>TfNSW stated that speed limit reductions on any road should be discussed outside of the Traffic Committee.                                                                             | No further action required.                                                                                                                                    |
| The signal timing for pedestrians should be reviewed to reduce wait times at the four signals on Mowbray Road. These signals service the catchment for Mowbray Public School. Efficient signal timing for pedestrians would encourage walking and cycling to school. | Traffic signals are under the jurisdiction of TfNSW. As such, TfNSW will need to provide comment on this issue.                                                                                                                                                                                                                | No further action required under the scope of this project.                                                                                                    |
| Parklands Avenue needs more devices at Landers Road                                                                                                                                                                                                                  | A roundabout was approved at Parklands Avenue/Landers Road/Kara Street intersection at                                                                                                                                                                                                                                         | No further action required under scope of this project.                                                                                                        |

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

|                                                                                                     |                                                                                                                                                                                                                              |                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                     | the February 2024 Traffic Committee                                                                                                                                                                                          |                                                                                                                                                  |
| The speed limit should be reduced further                                                           | Generally, the speed limits in neighborhood areas are 40km/h.<br><br>TfNSW stated that speed limit reductions on any road should be discussed outside of the Traffic Committee.                                              | No further action required.                                                                                                                      |
| The speed humps are not safe for cyclists and they impact parking                                   | No parking will be impacted due to the installation of the speed humps.<br><br>The road humps are designed to reduce vehicles speeds in the vicinity of the device and they can be designed to limit discomfort to cyclists. | No further action required under the scope of this project.                                                                                      |
| A pedestrian refuge needs to be installed on Burley Street at its intersection with Pacific Highway | As Burley Street at Pacific Highway is a wide intersection, a pedestrian refuge is required to ensure safety                                                                                                                 | Install pedestrian refuge on Burley Street at its intersection with Pacific Highway.<br><br><b>(Refer to Final Concept Plans Sheet # 40, 41)</b> |

|                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bike Path and parking lanes to be marked to narrow the roadway on Karilla Avenue | The road width of Karilla Avenue (from Centennial Avenue to the dead end) was measured to be approximately 10 metres.<br><br>The road width is not wide enough to accommodate a one way bike path, 2 travel lanes and 2 parking lanes.<br><br>The minimum widths for these are as follows:<br><br>One-way bike path – 1.5 metres<br>Parking lane – 2 metres<br>Travel lane – 3 metres<br><br>As the intention is for the roadway to appear narrow, it is proposed to mark out 2 x parking lanes and 2 x travel lanes on Karilla Avenue. | Install 2 metre parking lanes and 3 metre travel lanes on Karilla Avenue between Centennial Avenue and Kurri Street to ensure Karilla Avenue appears narrow to reduce speed.<br><br><b>(Refer to Final Concept Plans Sheets # 25, 26, 27, 28)</b> |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

|                                                                                                                   |                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Existing pedestrian refuge on Karilla Avenue should be removed and a raised threshold should be installed.</p> |                                                                                                                                                                                                                                          | <p>Install a raised threshold with a pedestrian crossing to be installed on Karilla Avenue at its intersection with Centennial Avenue.</p> <p>Remove existing pedestrian refuge.</p> <p><b>(Refer to Final Concept Plans Sheet #25)</b></p> |
| <p>Delete speed hump in front of 16 Karilla Avenue.</p> <p><b>(Refer to Consultation Plans Sheet # 34)</b></p>    | <p>A speed hump at this location was previously consulted on and the majority of residents on Karilla Avenue objected to the proposal.</p>                                                                                               | <p>Delete speed hump in front of 16 Karilla Avenue.</p>                                                                                                                                                                                     |
| <p>'No Stopping' sign on Kurri Street to be relocated 6 metres south of existing location.</p>                    | <p>The existing 'No Stopping' zone requires relocation to ensure vehicles do not cross the double centreline.</p>                                                                                                                        | <p>'No Stopping' sign on Kurri Street to be relocated 6 metres south.</p> <p><b>(Refer to Final Concept Plans Sheet #27)</b></p>                                                                                                            |
| <p>The existing splitter island on Kurri Street should be converted into a pedestrian refuge.</p>                 | <p>Prior to the installation of existing splitter island, a pedestrian refuge was considered. However, the narrow road width does not allow for the installation of a refuge which may effect the turning circle of larger vehicles.</p> | <p>No further action required under the scope of this project.</p>                                                                                                                                                                          |

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

Table 2: TfNSW Comments

| <b>TfNSW Comment</b>                                                                                                                                       | <b>Council Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Recommendation</b>                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pedestrian crossings at the Mindarie Street/Hatfield Street intersection need to be relocated so that the markings exist across the full width of the road | <p>The intersection of Mindarie Street/Hatfield Street has been squared up and the pedestrian crossings have been set back.</p> <p>There will be a loss of 5 spaces on Mindarie Street (East) and 1 space on Mindarie Street (West). The existing accessible space on Mindarie street West will be relocated further west.</p> <p>All 90-degree parking spaces for Mindarie Park on Kullah parade will be retained.</p> <p>Swept paths for B85 vehicle has indicated that it is possible to turn left from all approaches without crossing over to the other side of the road.</p> | <p>Raised pavement with pedestrian crossings on all approaches of the Kullah Parade/Hatfield Street intersection.</p> <p><b>(Refer to Final Concept Plans Sheet # 9)</b></p> |
| 40km/h pavement markings to be removed as they conflict with the advisory speed limit at the proposed speed humps                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 40km/h pavement markings to be removed                                                                                                                                       |
| Speed signage for adjacent road on side street to be removed                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Speed signage for adjacent road on side street to be removed                                                                                                                 |
| Karilla Avenue pedestrian crossing needs to be straightened so that the markings exist across the full width of the road.                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Install raised pedestrian crossing on Karilla Avenue                                                                                                                         |

### Conclusion

The Lane Cove North Speed Reduction Project was successfully nominated for grant funding under the Safe Speeds in High Pedestrian Activity Areas program.

Following the successful grant application, Consultation Plans (**AT-1**) were developed, and consultation was carried out between 22 December 2023 and 18 February 2024.

The overall proposal received majority support from consulted residents (63%).

The proposal was referred to the March 2024 Traffic Committee where the Committee also requested amendments to the proposal.

Following these amendments, the Final Concept Plans were also circulated to members of the Traffic Committee. No comments were received from the members of the Traffic Committee.

**Ordinary Council Meeting 18 July 2024**  
**LANE COVE NORTH SPEED REDUCTION PROPOSAL**

This report outlines the amendments to the initial consultation plans and proposes that Council, subject to detailed design, commence construction for the Lane Cove North Speed Reduction proposal as per the Final Concept Plans included in **AT-2**.

## RECOMMENDATION

That Council:

- Subject to detailed design and as per the Final Concept Plans included in AT-2, commence construction for the Lane Cove North Speed Reduction proposal for the following treatments:
  - Continuous footpath treatments on Willandra Street, Mindarie Street, Girraween Avenue at the intersection with Mowbray Road;
  - Continuous footpath treatments on Elizabeth Parade, Arding Street, Canberra Street at the intersection with Centennial Avenue;
  - Speed humps along the local streets outlined in the locality plan;
  - Raised pedestrian crossing on Helen Street at Goodlet Reserve;
  - 2 metre parking lanes and 3 metre travel lanes on Karilla Avenue between Centennial Avenue and Kurri Street to ensure Karilla Avenue appears narrow to reduce speed;
  - A raised pedestrian crossing on Karilla Avenue at its intersection with Centennial Avenue and remove existing pedestrian refuge;
  - Rumble strip on Karilla Avenue at the intersection with Kurri Street;
  - Pedestrian refuge on Burley Street at the intersection with Pacific Highway;
  - Raised pedestrian crossing on all approaches of the Mindarie Street/Kullah Parade/Hatfield Street intersection;
  - All associated signage and line markings.

Martin Terescenko  
**Director - Open Space and Infrastructure**  
**Open Space and Infrastructure Division**

### ATTACHMENTS:

|                                  |                     |             |                             |
|----------------------------------|---------------------|-------------|-----------------------------|
| <b>AT-1</b> <a href="#">View</a> | Consultation Plans  | 40<br>Pages | Available<br>Electronically |
| <b>AT-2</b> <a href="#">View</a> | Final Concept Plans | 44<br>Pages | Available<br>Electronically |
| <b>AT-3</b> <a href="#">View</a> | Consultation Area   | 1 Page      | Available<br>Electronically |

**Ordinary Council Meeting 18 July 2024**  
**FURTHER AMENDMENTS TO PARTS C, J & S OF COUNCIL'S DCP - PUBLIC EXHIBITION**

**Subject:** Further amendments to Parts C, J & S of Council's DCP - Public Exhibition  
**Record No:** SU6808 - 33951/24  
**Division:** Planning and Sustainability Division  
**Author(s):** Terry Tredrea; Christopher Pelcz

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### **Executive Summary**

The purpose of this report is to outline the results of community consultation for a proposed amendment to the *Lane Cove Development Control Plan* (DCP), particularly Parts C (Residential Development), J (Landscaping and Tree Preservation) and S (Environmental Sustainability). (see **AT-3 to AT-5**).

Changes include:

1. Removing the control on pool heating systems (in Part C) as this is a direct conflict with state policy,
2. Rewording the tree preservation guidelines (in Part J) to make it consistent with Council's existing policies and approach, and
3. Rewording some of the objectives in Part S to better reflect the focus on human health.

Council resolved at its 23 May 2024 meeting to exhibit these proposed amendments and to receive a report back on the results of community consultation.

A public exhibition was held from Thursday 30 May 2024 to Wednesday 10 July 2024.

**One** submission was received during the exhibition period. The submission can be summarised as follows:

1. Under "Removing the control on pool heating systems (in Part C) as this is a direct conflict with state policy", the submitter stated, "Removing conflicts with state policy seems sensible"
2. Under "Rewording the tree preservation guidelines (in Part J) to make it consistent with Council's existing policies and approach", the submitter stated "Updating it seems sensible and more transparent if this is the existing standard." and
3. Under "Rewording some of the objectives in Part S to better reflect the focus on human health" the submitter stated, "Seems sensible but presenting the current and proposed changes in more detail would be appreciated."

The issues raised are addressed within this Report. For reasons explained below, and amended in response to the submissions, it is recommended that Council adopt the amendments.

### **Background**

Following the adoption of the Development Control Plan amendments, a 6-month review has found some minor inconsistencies with Council internal policies and one inconsistency with a State policy. The change to Part S is only to ensure that the document more accurately aligns to the focus on human health.

### *Public Exhibition*

The proposed amendment was on public exhibition from Thursday 30 May 2024 to Wednesday 10 July 2024, as per the planning regulations and the *Lane Cove Community Participation Plan 2019*, and included the following: -

- E-newsletter distributed to 6,000+ registered residents;
- Lane Cove community groups, including the Greenwich Community Association;
- On-line exhibition on Council's website (Have Your Say); and
- Poster at the Lane Cove Civic Centre.

### **Discussion**

The one issue raised in the public submissions (see above) is discussed below.

1. *Under "Rewording some of the objectives in Part S to better reflect the focus on human health" the submitter stated, "Seems sensible but presenting the current and proposed changes in more detail would be appreciated."*

#### *Comment:*

There is no "more detail" in relation to the rewording of *All-electric buildings*. In more detail, the rationale for the rewording is to shift the focus away from opposing the **fossil fuel source** (i.e. gas or wood) – a focus which is inconsistent with the latest National Construction Code 2022 Building Code of Australia (NCA, which does not seek to ban fossil fuels). The focus shifts to reducing indoor and outdoor air pollutants to the extent that they adversely impact **air quality and human health**. It is a subtle difference, which does not directly oppose fossil fuels, but aims to promote the benefits of all-electric buildings, to:

- Reduce the combustion of fossil fuels through electric-only connected new buildings that benefit from the progressive greening of grid-supplied electricity in NSW.
- Reduce indoor air pollutants associated with the onsite combustion of gas to improve air quality for occupants.
- Save operational costs to occupants through avoiding gas connections and ongoing connection charges.
- Reduce the need for utility cabinets in the street and on street walls.

### **Conclusion**

After considering the public submission it is recommended that Council adopt the amendments.



## RECOMMENDATION

That Council:

1. Adopt the Development Control Plan, as shown in **AT-3** to **AT-5** inclusive, plus insertion of the following in Part S:

*“Engineered stone products should not be used”*

2. Publish the Development Control Plan on its website as soon as practicable

Mark Brisby  
**Director - Planning and Sustainability**  
**Planning and Sustainability Division**

### ATTACHMENTS:

|                                  |                                                  |             |                             |
|----------------------------------|--------------------------------------------------|-------------|-----------------------------|
| <b>AT-1</b> <a href="#">View</a> | REPORT DCP Amndt 23                              | 3 Pages     | Available<br>Electronically |
| <b>AT-2</b> <a href="#">View</a> | MINUTES DCP Amendment No 23                      | 1 Page      | Available<br>Electronically |
| <b>AT-3</b> <a href="#">View</a> | Final Part C - Residential Development           | 41<br>Pages | Available<br>Electronically |
| <b>AT-4</b> <a href="#">View</a> | Final Part J - Landscaping and Tree Preservation | 42<br>Pages | Available<br>Electronically |
| <b>AT-5</b> <a href="#">View</a> | Final Part S - Environmental Sustainability      | 13<br>Pages | Available<br>Electronically |

**Ordinary Council Meeting 18 July 2024**  
**5G CELL TOWERS - UPDATE**

**Subject:** 5G Cell Towers - Update  
**Record No:** SU6110 - 37158/24  
**Division:** Corporate and Strategy Division  
**Author(s):** Steven Kludass

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### **Executive Summary**

This report provides an update on matters relating to 5G Cell Towers with regard to the resolution passed by Council at its 22 February 2024 Council Meeting.

### **Background**

Following discussion at its Ordinary Council Meeting on 22 February 2024, Council resolved to take the following action:

1. *Receive and note the correspondence received from ARPANSA and ACMA regarding 5G Cell Towers.*
2. *Note that officers are currently arranging an online presentation to residents through ARPANSA and a date will be advertised on Council's website shortly.*
3. *Note that quotes have been received from independent assessors to measure exposure to Electro Magnetic Radiation.*
4. *Write to Ms Kylea Tink, Member for North Sydney requesting her support and funding for the works proposed in Point 3.*

### **Discussion**

#### Online Presentation

ARPANSA recently responded to Council's request to arrange an online presentation on 5G (Talk to a Scientist) which would be accessible to members of the Lane Cove community.

In responding to this request, ARPANSA advised that its Radiation Research and Advice Director, Sarah Loughran, as well as the International Commission on Non-Ionizing Radiation Protection Chair, Rodney Croft, gave a presentation to Northern Beaches Council on this same topic. This presentation was recorded and is now published on YouTube (see link below):

[4G 5G Information Session: 7 May 2024 - YouTube](#)

Council has informed ARPANSA that it would prefer to have an online presentation on 5G for members of the Lane Cove community to uniquely access.

ARPANSA has advised that the presentation would consist of a scientist providing information on the research into the potential health effects from radio wave exposure. Included in the presentation would be the clarification that ARPANSA's role is to undertake research and provide up-to-date health advice which informs the safety standard. The Australian Communications and Media Authority (ACMA) ensure that telcos adhere to the safety standard.

Request for Funding

Following confirmation of the cost required to complete the independent assessment, a letter was sent to the Member for North Sydney, Ms Kylea Tink MP, to request support and funding. Council is yet to receive a response from the Member, despite several emails being sent in recent months.

**Conclusion**

Council has been forwarded a copy of an online presentation that was recently provided to Northern Beaches Council. Council officers have expressed a desire for ARPANSA to provide an online presentation for Lane Cove residents and are continuing endeavours with the Member for North Sydney, Ms Kylea Tink MP, to fund the cost of an independent assessor to measure exposure to Electro Magnetic Radiation in specific areas within the Lane Cove area.

**RECOMMENDATION**

That Council:

1. Receives and notes the update provided in this report; and
2. Notes that officers are currently progressing arrangements with ARPANSA to provide an online presentation to Lane Cove residents.

Steven Kludass  
**Director - Corporate and Strategy**  
**Corporate and Strategy Division**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**REQUEST BY OWNER FOR COUNCIL TO PURCHASE C2 ZONED LAND AT 347A BURNS**  
**BAY ROAD, LANE COVE WEST**

**Subject:** Request by Owner for Council to purchase C2 zoned land at 347A Burns Bay Road, Lane Cove West  
**Record No:** SU2808 - 40931/24  
**Division:** General Managers Unit  
**Author(s):** David Stevens; Craig Wrightson

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### **Executive Summary**

The owner of land zoned C2 - Environmental Conservation at 347a Burns Bay Road, Lane Cove West, has requested Council give consideration to the purchase of the land for open space at a price of \$1.8m. The land is one of 24 lots identified by Council for acquisition and will contribute to continuous public foreshore access and protecting and enhancing bushland. It is recommended Council proceed with the purchase.

### **Background**

The Lane Cove LEP 2009 includes land identified for acquisition as follows:-

- Land for local open space (C2) = 21 lots
- Land for regional open space (C2) = 3 lots

These lots are zoned C2 - Environmental Conservation zone as they are areas that contain high ecological, scientific, cultural or aesthetic values.

Council has over a long period of time reserved parts of certain private land on the foreshore with the aim of completing continuous public foreshore access and protecting and enhancing bushland. Due to the obvious financial constraints Council has seen acquisition of such private land zoned for public reservation as a long-term goal.

Due to the financial constraints, Council has preferred where possible to purchase whole sites at as they become available and to subsequently sub-divide the rear portions zoned for public reservation before re selling the remainder on the open market. This strategy has tended to be the most cost effective over time with the difference between purchase and sale price being minimised compared to purchasing the area reserved for Open Space only.

### **Discussion**

#### *Offer to Council*

The owner of the land at 347a Burns Bay Road, Lane Cove West has written to Council indicating the property is available for public sale at a price of \$1.8m. Potential acquisition of the property has a long history dating back to 2011, a copy of the history is provided in a Confidential Memorandum circulated separately to Councillors. Council is authorised under clause 5.1 of the LEP to acquire the identified property under the [Land Acquisition \(Just Terms Compensation\) Act 1991](#) or alternatively direct purchase if the property is available for public sale.

The property is Lot C DP 377007, zoned C2 - Environmental Conservation and comprises 878.9sqm It is one of the 21 lots identified for acquisition for open space. The property is a battle axe shaped property (see image below), which comprises a former residence (currently in a poor state of repair) and garden area, which interrupts the continuous public foreshore access and bushland vegetation along the Lane Cove River. Unlike previous properties acquired in the Burns Bay area, the entire land, except the battle-axe access handle, is zoned C2. There is no R2 residential zoned land that can be subdivided and resold. The battle-axe access handle is at a

**Ordinary Council Meeting 18 July 2024**  
**REQUEST BY OWNER FOR COUNCIL TO PURCHASE C2 ZONED LAND AT 347A BURNS**  
**BAY ROAD, LANE COVE WEST**

gradient to provide suitable public access to the foreshore bushland. Council staff support acquisition of the land.



*Valuation*

Included in a Confidential Attachment is a current valuation in respect of the property, which is considerably more than the current offer of \$1.8 million. Based on 879m<sup>2</sup> this equates to \$2047 p/m. As an additional reference point, the Unimproved Capital Value provide by the Valuer General for Rates purposes is \$1.74m, which equates to \$1980 p/m. The owner has indicated they wish to expedite the process hence the below market offer to Council.

*Funding for Acquisition*

Council's current Section 94 / s7.11 Works Schedule – updated in September 2023 provides the following funding for open space acquisition:-

- Foreshore land acquisition \$7,947,083
- Open Space land acquisition and embellishment \$2,269,167

There are currently no funds available in the general S7.11 Reserve as Council has fully committed funds in the 2024/25 year budget.

Acquisition can, however, as an interim measure be funded from Council's Property Acquisition Reserve, to be repaid as s7.11 funds are received.

**Ordinary Council Meeting 18 July 2024**  
**REQUEST BY OWNER FOR COUNCIL TO PURCHASE C2 ZONED LAND AT 347A BURNS**  
**BAY ROAD, LANE COVE WEST**

**Conclusion**

Council has been presented with an opportunity to purchase 347a Burns Bay Road, Lane Cove West, for open space below market price for \$1.8m. The land is one of 24 lots identified by Council for acquisition and will contribute to continuous public foreshore access and protecting and enhancing bushland. It is recommended Council proceed with the purchase.

**RECOMMENDATION**

That Council:-

1. Purchase the site 347a Burns Bay Road, Lane Cove West for the purpose of Open Space at a cost of \$1.8M.
2. Classify the land on acquisition as Community Land under the Local Government Act.
3. Delegate authority to the General Manager to complete the purchase transaction.
4. Amend the 2024/25 Budget to fund the acquisition from the Property Acquisition Reserve, with the amount to be repaid as s7.11 funds are received.
5. Consider the demolition of the existing structures and regeneration of the land as bushland as a project in the 2025/26 Budget.

Craig Wrightson  
**General Manager**  
**General Managers Unit**

**ATTACHMENTS:**

There are no supporting documents for this report.



**Subject:** Council Policies Review - Part 5  
**Record No:** SU241 - 66401/23  
**Division:** Lane Cove Council  
**Author(s):** Stephen Golding

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### **Executive Summary**

Council's Policy Register, located on the website, provides a full list of all policies adopted by Council. To ensure the Register continues to contain useful, relevant and current policies, Council Officers undertake reviews of all policies during the course of a Council term.

The purpose of this report is for Council to review and consider the re-adoption of the following policies as part of the ongoing policy review for the Council Term, which will extend throughout the remainder of this term:

- Council Records and Archives Policy,
- Risk Management Policy
- Sister Cities Policy

### **Background**

The purpose of the review is to ensure that all policies are contemporary, compliant with current legislation and/or guidelines issued by State and Federal agencies, are consistent with Council's direction and reflect industry standards.

### **Discussion**

This report is the fifth and final report which will be presented to Council, outlining the results of the policy review. Due to the number of policies within the Policy Register, the plan has been to present the revised policies to Council gradually over the Council term, allowing sufficient time for Council to review them, particularly if there are any proposed amendments.

Below is a summary of three (3) policies which have recently been reviewed. None of the policies require more than administrative amendments.

*Please note each of the three (3) policies outlined below contain a hyperlink (in the heading) to the current adopted policy version which is also located on Council's website.*

#### **[Council Records and Archives Policy,](#)**

The purpose of this policy is to ensure the capture, creation and maintenance of business records by Council in compliance with the *State Records Act*, 1998. It establishes a framework and outlines accountabilities for records and information management and covers all business records and all recordkeeping systems used by Council.

This policy (**AT-1**) has been reviewed with administrative changes those being;

*Various Sections, TRIM to Content Manager and EDMS changed to EDRMS.*

- *Section 3, Definitions, Electronic Document Management System changed to Electronic Document and Records Management System and TRIM to Content Manager.*

- *Section 4.2, Records Management* - addition of information regarding records of or relating to children being kept in accordance with related legislative requirements and adherence to the 10 Child Safe Standards outlined in the Child Safe Scheme.
- *Section 4.3, Document Management Rules changed to Document and Records Management Rules*
- *Section 4.4, Records Management Accountability Requirements, EDMS changed to EDRMS.*
- *Section 4.4, Records Management Accountability Requirements, Manager/Executive to Director/Manager, Executive Manager to Director, Executive Manager - Corporate Services to Director Corporate Services and Strategy, Manager - Governance changed to Manager Governance and Risk, Information Officer to Information Management Officer, Corporate Information Officer to Information Management Officer, Team Leader Records changed to Manager Governance and Risk or to Coordinator Governance where appropriate. TRIM to Content Manager.*

### **Risk Management Policy**

This Policy outlines Council's approach for managing enterprise-wide risks and establishes clear responsibilities to ensure that all levels of management and staff are aware of and responsible for the management of risk.

This policy (**AT-2**) has been reviewed with consideration to the NSW Office of Local Government – Guidelines for Risk Management and Internal Audit for Local Government in NSW with appropriate administrative changes those being;

- *Section 1 Purpose* – additional wording '*purpose of the Risk Management*' and '*is to*'
- *Section 4.1 Introduction*, additional wording '*Not only can it adversely impact our stakeholders*' and '*strategic*', and
- *Section 4.4*, additional wording '*Council aims to create a positive risk management culture where risk management is integrated into all everyday activities and managing risks is an integral part of governance, good management practice and decision-making at Lane Cove Council. It is the responsibility of every staff member and business area to observe and implement this policy and Council risk management framework*' and '*The Audit Risk and Improvement Committee (ARIC) is responsible to provide independent assurance and assistance to Lane Cove Council on risk management, control, governance, and external accountability responsibilities. In addition, the purpose and function of this Committee is to provide relevant advice with a view to ensuring that there is an adequate and effective system of internal control throughout Council and to assist in the operation and implementation of the Internal and External Audit Plans.*
- *New section - Section 4.4 Monitoring and Review - Council is committed to continually improving its ability to manage risk. Council will review this policy and its risk management framework accordingly to ensure it continues to meet the requirements of the Local Government Act 1993, the Local Government (General) Regulation 2021, and council's requirements.*



### Sister Cities Policy

To ensure that any Sister City relationships that Council may enter into are relevant and effective in delivering demonstrable economic, cultural and/or social benefits for Lane Cove; and to clearly delineate the type and level of resourcing by Council of Sister City relationships.

This policy (**AT-3**) has been reviewed with no changes.

### **Conclusion**

The above policy reviews, inclusive of amendments and updates, ensure that the Policy Register is up to date with current practice and legislation. None of the amendments or deletions are such that it is considered necessary to undertake community consultation. It is recommended the reviewed and updated policies be adopted.

### **RECOMMENDATION**

That Council adopt the reviewed and updated policies.

Steven Kludass  
**Director - Corporate and Strategy**  
**Corporate and Strategy Division**

### **ATTACHMENTS:**

|                                  |                                                   |         |                             |
|----------------------------------|---------------------------------------------------|---------|-----------------------------|
| <b>AT-1</b> <a href="#">View</a> | Draft - Policy-CS-11 Council Records and Archives | 3 Pages | Available<br>Electronically |
| <b>AT-2</b> <a href="#">View</a> | Draft - Risk Management Policy                    | 5 Pages | Available<br>Electronically |
| <b>AT-3</b> <a href="#">View</a> | Draft - Policy GMU-04 Sister Cities Policy        | 4 Pages | Available<br>Electronically |

**Ordinary Council Meeting 18 July 2024**  
**AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - TERMS OF REFERENCE**

**Subject:** Audit, Risk and Improvement Committee (ARIC) - Terms of Reference  
**Record No:** SU740 - 37970/24  
**Division:** Lane Cove Council  
**Author(s):** Stephen Golding

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### **Executive Summary**

The purpose of this report is to present to Council an Audit, Risk and Improvement Committee (ARIC) Terms of Reference (**AT-1**) to replace the existing Audit, Risk and Improvement Committee Charter. The Terms of Reference are based on the model prepared by the Office of Local Government (OLG) with input provided by independent members of ARIC. It is recommended Council adopt the Audit, Risk and Improvement Committee - Terms of Reference included as (**AT-1**) to replace the existing Audit, Risk and Improvement Committee Charter.

### **Background**

In 2019, the NSW Government proposed changes under the Local Government Act, 1993 that each Council have an Audit, Risk and Improvement Committee (ARIC). Under the ARIC Guidelines councils are required to establish a risk management framework and internal audit function that complies with the Guidelines from 1 July 2024.

As previously reported to Council, Council's transitioning to a fully-fledged ARIC has been occurring over the past 12 months. This has included the engagement of three independent members to the Committee, development of an Internal Audit Charter, an Annual ARIC Workplan as well as the development of an ARIC Charter which was prepared in accordance with Guidelines released at the time. The current ARIC Charter contains the following:

- Objectives of the Committee
- Composition and Tenure
- Roles and Responsibilities
- Reporting
- Decision Making, and
- Deliverables

The new independent members of the ARIC were not involved in developing the current ARIC Charter (adopted by Council in July 2023) and sought to have it reviewed in light of the Model Terms of Reference for ARICs developed by the OLG and released in late 2023. While the Charter is compliant with the Guidelines, the Model Terms of Reference for ARICs (when compared to the current ARIC Charter) includes a much more comprehensive outline of the roles and responsibilities of an ARIC (as a collective committee) and those of its independent members (as individuals). As such, it is recommended that Council adopt the ARIC Terms of Reference document attached to this report to replace the current ARIC Charter document.

## **Discussion**

### ARIC Terms of Reference

The ARIC Terms of Reference, attached as **AT-1**, includes the following:

- Objectives of the Committee
- Independence of the Committee
- Authority of the Committee
- Composition and Tenure
- Roles of Members
- Responsibilities of Members
- Conduct
- Standards
- Workplans
- Assurance Reporting
- Administrative Arrangements, and
- A Schedule of the Committee's Responsibilities, including
  - Audit
  - Risk, and
  - Improvement

Some minor amendments are suggested to the OLG Model Terms of Reference which are either highlighted as 'striketrough' or as RED text in **AT-1**. These amendments have been included to provide additional clarity around the roles, responsibilities and expectations of ARICs and its independent members. The ARIC Terms of Reference have been endorsed by the independent members of the Committee.

## **Conclusion**

The ARIC Terms of Reference is consistent with the OLG Model Terms of Reference for ARICs and is put to Council for its consideration to replace the current ARIC Charter. As the Terms of Reference are based on the OLG model and none of the amendments or deletions are significant, it is not considered necessary to undertake community consultation. It is recommended the Audit, Risk and Improvement Committee - Terms of Reference be adopted.

## **RECOMMENDATION**

That Council adopt the Audit, Risk and Improvement Committee - Terms of Reference included as (**AT-1**) to replace the existing Audit, Risk and Improvement Committee Charter.

Steven Kludass  
**Director - Corporate and Strategy**  
**Corporate and Strategy Division**

### **ATTACHMENTS:**

**AT-1** [View](#) ARIC - Terms of Reference - July 2024

Available  
Electronically

**Ordinary Council Meeting 18 July 2024**  
**APPOINTMENT OF ADDITIONAL YOUTH ADVISORY GROUP MEMBER**

**Subject:** Appointment of Additional Youth Advisory Group Member  
**Record No:** SU119 - 38329/24  
**Division:** Community and Culture Division  
**Author(s):** Briony Moore

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### **Executive Summary**

Council received a report at the 23 March 2024 Ordinary Council Meeting on the appointment of a Youth Advisory Group and the need to continue to recruit young people for this advisory committee.

This report presents an additional nomination from Chloe Champion for the Youth Advisory Group, for endorsement by Council.

### **Background**

Council advertised for members of the Youth Advisory Group via the Have Your Say page on Council's website from 3 December 2023 to 18 February 2024. Three members were endorsed by Council in the March 2024 Ordinary Council Meeting.

To fill vacant positions, Youth Advisory Group applications were re-opened. A fourth Youth Advisory Group member was endorsed by Council in the June 2024 Ordinary Council Meeting.

An additional nomination was received towards the end of June, which is now submitted for Council's consideration.

### **Discussion**

Council's Selection Committee has reviewed the nomination and recommends that the following nominee be appointed to the Youth Advisory Group: Chloe Champion.

Chloe Champion meets all eligibility criteria for the Youth Advisory Group. A copy of Chloe Champion's application has been circulated separate to Councillors by Confidential Memorandum.

### **Conclusion**

Council's Selection Committee has assessed the new nomination for the Youth Advisory Group and, considering the skills, experience, and interest of the nominee, recommends that the person nominated for the Youth Advisory Group be endorsed.

### **RECOMMENDATION**

That Council:

1. Endorse Chloe Champion as a nominee for the Youth Advisory Group; and
2. Notify the applicant of Council's decision.

Corinne Hitchenson  
**Acting Director - Community and Culture**  
**Community and Culture Division**

### **ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**COUNCIL DECISION MAKING AND USE OF COUNCIL RESOURCES PRIOR TO THE 2024**  
**LOCAL GOVERNMENT ELECTION**

**Subject:** Council Decision Making and use of Council Resources prior to the 2024 Local Government Election  
**Record No:** SU9089 - 38086/24  
**Division:** General Managers Unit  
**Author(s):** Craig Wrightson

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### **Executive Summary**

The Local Government elections are scheduled for Saturday, 14 September 2024. The Office of Local Government recently released a publication titled "Pre-election guide for Councils", dated April 2024. This report summarises the pertinent aspects of the guide, including the use of Council resources, the distribution of council publications and council decision making leading up to the election. It is recommended that the report be received and noted.

### **Discussion**

The publication titled "Pre-election Guide for Councils", provided as **AT-1**, provides guidance on the rules, restrictions and other considerations that apply to the decisions councils make and the way they exercise their functions in the lead up to the local government election, to be held on Saturday 14 September 2024. The following key issues are drawn to Council's attention:-

#### Council Decision Making

Under the Regulation, councils are required to assume a "caretaker" role in the four weeks preceding the election day (see section 393B).

The caretaker restrictions are designed to prevent outgoing councils from making major decisions that will bind the new council or limit its actions.

The caretaker period for the 2024 Local Government elections commences on Friday 16 August 2024 and ends on Saturday 14 September 2024.

During the caretaker period, councils, general managers, and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions:

- enter into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger)
- determine a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period, or
- appoint or reappoint the council's general manager (except for temporary appointments).

"Controversial development application" means a development application for designated development under section 4.10 of the Environmental Planning and Assessment Act 1979 for which at least 25 persons have made submissions during community consultation.

#### Use of Council Resources

**Ordinary Council Meeting 18 July 2024**  
**COUNCIL DECISION MAKING AND USE OF COUNCIL RESOURCES PRIOR TO THE 2024**  
**LOCAL GOVERNMENT ELECTION**

The rules governing the use of council resources for election purposes are prescribed under the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct) and councils' adopted codes of conduct. There are two key obligations:

- Clause 8.17: provides that council resources (including council staff), property or facilities must not be used for the purpose of assisting anyone's election campaign unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property, or facility.
- Clause 8.18: provides that council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material must not be used for the purpose of assisting anyone's election campaign
- Councils and all council officials should consider the following matters to ensure compliance with clauses 8.17 and 8.18:
  - council "resources" include council Information and Communication Technology (including phones, social media sites, email addresses), intellectual property, staff and council facilities
  - council resources including intellectual property should not be used by candidates in such a way to suggest they are supported or endorsed by the council
  - the prohibition on the use of council resources does not only apply to each councillor's election campaign – it also applies to the election campaigns of other candidates
  - the prohibition on the use of council resources also applies to council staff who are campaigning for election to another council or supporting the election campaign of candidates
  - it is permissible to use council facilities but on the same terms as all other candidates including the payment of any advertised fee for use
  - breaches by councillors and staff are grounds for disciplinary action.

**Council Publications during the "Regulated Period"**

To keep elections fair, and ensure voters are not misled, there are strict rules about the information that candidates and their supporters can publish or distribute.

These rules are prescribed under the Local Government (General) Regulation 2021 (the Regulation) and are enforced by the relevant election manager. These rules apply during what is known as the "regulated period". The "regulated period" starts when the electoral rolls close 40 days before election day and ends on election day.

The key requirement is that all "electoral material" published or distributed during the "regulated period" must contain the name and address of the person who authorised the material and the name and address of the printer. This is an important electoral integrity measure which is designed to ensure electors can verify the bona fides of electoral material that is printed, published, distributed, or publicly displayed for campaigning purposes during the "regulated period".

The key definitions are contained in clause 356A of the Regulation. "Electoral material" is defined very broadly under the Regulation. It means anything, including without limitation a 'how-to-vote' card, poster, or advertisement, containing "electoral matter" (whether in a tangible or an electronic form).

**Ordinary Council Meeting 18 July 2024**  
**COUNCIL DECISION MAKING AND USE OF COUNCIL RESOURCES PRIOR TO THE 2024**  
**LOCAL GOVERNMENT ELECTION**

“Electoral matter” is in turn defined to include:

- any matter that is intended or calculated or likely to affect or is capable of affecting the result of any election held or to be held or that is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his or her vote at any election, or
- the name of a candidate at any election, the name of the party of any such candidate, the name or address of the committee rooms of any such candidate or party, the photograph of any such candidate, and any drawing or printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate.

Councils need to be aware that their publications may contain “electoral matter” and may therefore be inadvertently captured within the definition of “electoral material”. Whether a council publication constitutes “electoral material” is an assessment that needs to be made by each council on a case-by-case basis.

A council publication that makes no reference to the mayor or councillors who are candidates and does not carry their images or statements will not constitute “electoral material” if it is not intended or likely to affect voting at the election. However, council publications that promote the achievements of the council may potentially have this effect and therefore may constitute “electoral material” even if they do not carry the images or statements of the mayor or councillors.

The OLG has previously advised Council that the ‘End of Term Report’ must be presented to the final meeting of an outgoing council. The provisions in the Regulation relating to “electoral material” do not prevent the end-of-term report being presented to the council or from being made available on a council’s website as part of the business papers of the meeting. However, the End of Term Report will not be distributed beyond the Council Meeting until after the local government election.

## **Conclusion**

The requirements set out in the publication titled “Pre-election guide for Councils” from the Office of Local Government regarding the use of council resources, council publications and council decision making prior to the 2024 local government election, are submitted for information.

## **RECOMMENDATION**

That the report be received and noted.

## **ATTACHMENTS:**

**AT-1** [View](#) Pre-election Guide for Councils - OLG

Available  
Electronically

**Ordinary Council Meeting 18 July 2024**  
**COUNCIL SNAPSHOT - JUNE 2024**

**Subject:** Council Snapshot - June 2024  
**Record No:** SU220 - 40816/24  
**Division:** General Managers Unit  
**Author(s):** Corinne Hitchenson

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Attached for the information of Councillors is a review of Council's recent activities.

This Snapshot report provides a summary of the operations of each Division within Council for June 2024 at **AT-1**.

Included at **AT-2** is Council's Resolution Tracker showing the progress of Council's resolutions.

**RECOMMENDATION**

That Council receive and note the report.

Craig Wrightson  
**General Manager**  
**General Managers Unit**

**ATTACHMENTS:**

|                                  |                            |             |                             |
|----------------------------------|----------------------------|-------------|-----------------------------|
| <b>AT-1</b> <a href="#">View</a> | Council Snapshot June 2024 | 43<br>Pages | Available<br>Electronically |
| <b>AT-2</b> <a href="#">View</a> | Council Resolution Tracker | 26<br>Pages | Available<br>Electronically |



**Ordinary Council Meeting 18 July 2024**  
**QUESTIONS WITH NOTICE - RIVER ROAD SHARED USER PATH (SUP)**

**Subject:** Questions with Notice - River Road Shared User Path (SUP)  
**Record No:** SU1682 - 39440/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Merri Southwood

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**Background**

Council applied to Transport for NSW for a grant of \$400,000 under the Get Active program for the 2024/25 year.

The grant was intended to fund the design development of a Shared User Path (SUP) on the north side of River Road to run from Greenwich Public School to the east and from the River Road West/Northwood Road intersection to the west (River Road SUP).

Council has been advised that the grant application was unsuccessful.

The Transport for NSW website includes no information about when the next round of grants under the Get Active program will be offered.

Council's Bike Plan 2019 includes the River Road SUP as part of Route R5, a route of over 2 km. It has estimated that the total cost of Route R5 as \$1,162,000.

**Question 1**

Will Council confirm its commitment to the provision of the River Road SUP to coincide with the opening of the Sport and Recreation Facility due by end 2025?

Answer to Question 1

Council has already confirmed its commitment to providing a SUP along River Road as it is part of Route R5 in our Bike Plan. Council cannot guarantee that the SUP will be completed prior to the opening of the Sport and Recreation facility as it is subject to available funding, which has to date been based on obtaining matching Grant funding.

**Question 2**

Where will the funding come from for the design and delivery of the River Road SUP by end 2025?

Answer to Question 2

Council has met with TfNSW to discuss our grant application for the River Road SUP and they strongly supported this project. TfNSW suggested that Council should reapply in the next round and have committed to providing assistance for the next application, which Council believes is a positive sign.

Craig Wrightson  
**General Manager**  
**General Managers Unit**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**QUESTION WITH NOTICE - REPORT TO EPA IN RELATION TO DA FOR THE SPORT AND RECREATION FACILITY**

**Subject:** Question with Notice - Report to EPA in relation to DA for the Sport and Recreation Facility  
**Record No:** SU10025 - 40971/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Merri Southwood

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**Background**

Consent Condition C.3 for DA 147/2022, being the DA for the Sport and Recreation Facility, requires the applicant to ensure an erosion and sediment control plan is prepared "To ensure no substance other than rainwater enters the stormwater system and waterways".

On 17 June 2024 Gore Creek Valley Action Group Inc advised that, on 22 May 2024, it reported to the NSW Environment Authority a potential release of contaminated material into Gore Creek.

**Question**

Has there been any follow up action to this report to the EPA and, if yes, details of this action?

Answer

Council was contacted by the EPA after they received complaints relating to the site. This involved Council as the regulatory authority and the matter was handled by the Director, Planning & Sustainability.

A joint inspection was carried out and the EPA have acknowledged the measures in place, no penalty or order was proposed by the EPA at this time.

The EPA have requested Council continue to monitor the site.

Craig Wrightson  
**General Manager**  
**General Managers Unit**

**ATTACHMENTS:**

There are no supporting documents for this report.

**Ordinary Council Meeting 18 July 2024**  
**QUESTIONS WITH NOTICE - RIVER ROAD/NORTHWOOD ROAD ROUNDABOUT**

**Subject:** Questions with Notice - River Road/Northwood Road Roundabout  
**Record No:** SU8452 - 41236/24  
**Division:** Lane Cove Council  
**Author(s):** Councillor Merri Southwood

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**Background**

In an answer to Questions on Notice for the 20 June 2024 meeting, Council advised that it had sought a grant under the TfNSW Safer Roads Program to improve safety at the River Road/Northwood Road intersection.

This grant application did not proceed as grant eligibility was confined to State Roads.

Council has advised that a grant application has now been lodged under the Australian Government Black Spot Program.

**Questions 1**

What elements of the project have been covered by the grant application under the Black Spot Program?

Answer to Question 1

The project implements measures to improve safety at the intersection which include squaring up the intersection, installing raised medians and curve alignment markers.

**Questions 2**

How much funding has Council applied for?

Answer to Question 2

\$250,900

**Questions 3**

When is Council likely to hear of the outcome of its application for a grant?

Answer to Question 3

TfNSW were unable to comment on the timeframe for when an announcement will be made.

Craig Wrightson  
**General Manager**  
**General Managers Unit**

**ATTACHMENTS:**

There are no supporting documents for this report.